CAI MS500 -82P23 Energy, Mines and Resources Canada

Énergie, Mines et Ressources Canada

Petroleum Incentives Administration

PETROLEUM INCENTIVES PROGRAM

Canadä



## C-104

First Session, Thirty-second Parliament, 29-30-31 Elizabeth II, 1980-81-82

C-104

Première session, trente-deuxième législature, 29-30-31 Elizabeth II, 1980-81-82

THE HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

# **BILL C-104**

# PROJET DE LOI C-104

An Act respecting petroleum incentives and Canadian ownership and control determination and to amend the Foreign Investment Review Act

Loi concernant l'encouragement du secteur pétrolier et la détermination de la participation et du contrôle canadiens et modifiant la Loi sur l'examen de l'investissement étranger

AS PASSED BY THE HOUSE OF COMMONS ADOPTÉ PAR LA CHAMBRE DES COMMUNES JUNE 10, 1982

LE 10 JUIN 1982



1st Session, 32nd Parliament. 29-30-31 Elizabeth II, 1980-81-82

1re session, 32e législature, 29-30-31 Elizabeth II, 1980-81-82

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Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Sa Maiesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, décrète :

#### PARTI

### PETROLEUM INCENTIVES PROGRAM

# PARTIE I

## PROGRAMME D'ENCOURAGEMENT DU SECTEUR PÉTROLIER

#### Short Title

1. This Part may be cited as the Petroleum Incentives Program Act.

#### Titre

1. La présente partie peut être citée sous 5 le titre : Loi sur le programme d'encourage- 5 ment du secteur pétrolier.

#### Interpretation

Definitions

Short title

**2.** (1) In this Part,

"Canada lands" «terres du Canada

- "Canada lands" means lands that belong to Her Majesty in right of Canada, or in respect of which Her Majesty in right of Canada has the right to dispose of or 10 exploit the natural resources and that are situated in
  - (a) the Yukon Territory, the Northwest Territories or Sable Island, or
  - province, adjacent to the coast of Canada and extending throughout the natural prolongation of the land territory of Canada to the outer edge of the

### Définitions

2. (1) Les définitions qui suivent s'appliquent à la présente partie.

«ayant droit» Toute personne qui, en vertu des règlements, a droit de recevoir une 10 subvention dans les cas visés par ces règlements ou tel associé d'une société de personnes dont le Ministre, conformément à l'article 5, reconnaît la qualité d'ayant droit à l'égard d'une subvention.

(b) those submarine areas, not within a 15 «contrôle canadien» Sous réserve du paragraphe (2), le contrôle canadien déterminé conformément à la Loi sur la détermination de la participation et du contrôle canadiens.

«ayant droit» "qualified ..

Définitions

«contrôle "Canadian

canadien» control"

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continental margin or to a distance of two hundred nautical miles from the baselines from which the breadth of the territorial sea of Canada is measured. whichever is the greater;

"Canadian control' «contrôle canadien»

"Canadian control" means, subject to subsection (2). Canadian control as determined under the Canadian Ownership and Control Determination Act:

"Canadian ownership rate' «taux de ...»

"eligible asset cost' «coût admissible d'un biens

"eligible cost or expense' «coûts ou frais ... »

"eligible development expense' «frais d'aménagement ...»

"eligible exploration expense' «frais d'exploration ...»

"gas" «gaz»

"incentive" «subvention»

"Minister" «Ministre»

"oil" «pétrole»

"person" «personnes»

"person" includes a partnership or prescribed 45 organization;

- "Canadian ownership rate" means, subject 10 to subsection (2), a Canadian ownership rate determined under the Canadian Ownership and Control Determination Act:
- "eligible asset cost" means a prescribed outlay or expense in respect of a prescribed 15 asset used in the petroleum industry;
- "eligible cost or expense" means an eligible asset cost, eligible development expense or eligible exploration expense;
- "eligible development expense" means a pre-20 scribed outlay or expense in respect of the development of lands for the purpose of producing oil or gas or both;
- "eligible exploration expense" means a prescribed outlay or expense in respect of the 25 exploration for oil or gas or both;

"gas" means natural gas and includes all substances, other than oil, that are produced in association with natural gas;

"incentive" means a payment of money 30 under this Act:

"Minister" means the Minister of Energy, Mines and Resources:

"oil" means

- ty produced at a well head in liquid form, and
- (b) any other hydrocarbon, except coal or gas, including any hydrocarbon that may be extracted or recovered from sur- 40 face or subsurface deposits, including deposits of oil sand, bitumen, bituminous sand, oil shale and other types of deposits;

«coût admissible d'un bien» Frais ou débours réglementaires liés à un bien prévu par règlement et utilisé dans l'industrie du pétrole ou du gaz.

5 «coûts ou frais admissibles» Le coût admissible d'un bien, les frais d'aménagement admissibles et les frais d'exploration admissibles.

«frais d'aménagement admissibles» débours ou frais qui sont engagés dans 10 gement admissibles. l'aménagement des terres pour la production du pétrole ou du gaz, ou des deux, et que prévoient les règlements.

«frais d'exploration admissibles» Les débours ou frais de recherche du pétrole ou du gaz, 15 ou des deux, et que prévoient les règlements.

«gaz» Le gaz naturel. S'entend en outre de toutes les autres substances produites avec le gaz naturel, à l'exclusion du pétrole. 20

«Ministre» Le ministre de l'Énergie, des Mines et des Ressources.

«personnes» Sont compris parmi les personnes les sociétés de personnes et les organismes prévus par règlement.

«pétrole»

a) Le pétrole brut, quelle que soit sa densité, extrait à la tête de puits sous une forme liquide;

b) les autres hydrocarbures, à l'exclu-30 sion du charbon et du gaz, y compris ceux qui peuvent être extraits ou récupérés de gisements en affleurement ou sous-terrains de sables pétrolifères, de bitume, de sables ou de schistes bitumi-35 neux, ou d'autres sortes de gisements.

(a) crude petroleum regardless of densi-35 «subvention» Tout montant versé en vertu de la présente loi.

> «taux de participation canadienne» Sous réserve du paragraphe (2), le taux de par-40 ticipation canadienne établi conformément à la Loi sur la détermination de la participation et du contrôle canadiens.

«terres du Canada» Les terres qui appartiennent à Sa Majesté du chef du Canada ou 45 "Canada"..." dont Sa Majesté du chef du Canada peut légalement aliéner ou exploiter les ressources naturelles, et qui sont situées :

«coût admissible d'un bien» "eligible asset...

5 «coûts ou frais admissibles» "eligible cost

«frais d'aména-"eligible development..."

«frais d'exploration admissibles» "eligible exploration..."

«gaz» "gas"

«Ministre» 'Minister"

«personnes» 'person"

«pétrole» oil

«subvention» 'incentive'

«taux de participation canadienne "Canadian ownership ..."

«terres du

du taux et

du contrôle

détermination

"prescribed" version anglaise seulement

"prescribed" means prescribed by the regulations:

"qualified person' «avant droit» "qualified person" means a person prescribed as being qualified to receive an incentive in the circumstances prescribed or a partner 5 of a partnership who has, pursuant to section 5, been approved by the Minister as being the person qualified to receive an incentive.

10

- a) soit dans le territoire du Yukon, les territoires du Nord-Quest ou l'Île de Sable.
- b) soit dans les zones sous-marines, hors du territoire d'une province, qui sont 5 adjacentes à la côte canadienne et s'étendent au prolongement naturel du territoire terrestre canadien jusqu'au rebord externe de la marge continentale. ou jusqu'à deux cents milles marins des 10 lignes de base à partir desquelles est mesurée la largeur de la mer territoriale si le rebord de la marge continentale se trouve à une distance inférieure

Fixing or determination of rate or control

Crown share

incentive

- (2) Where, on an application to the Minister under section 4, the Minister is satisfied that
  - Canadian ownership rate has been fixed in respect of the applicant or that the Canadian control status of the applicant has not been determined.
  - (b) due to a decline of the Canadian own- 20 ership rate of the applicant in such circumstances and to such extent as are prescribed, the applicant would, but for this subsection, receive an incentive less than that to which he would be entitled had 25 such decline not occurred, or
  - (c) the Canadian ownership rate of the applicant is attributable in part to a prescribed person who is not a qualified 30 person.

the Minister may, subject to the regulations. fix the Canadian ownership rate of the applicant or determine the Canadian control status of the applicant, as the case requires. and in such case, the rate so fixed or the 35 determination so made shall be binding in respect of the applicant for the purposes of this Part for such period of time and subject to such terms and conditions as are prescribed or as the Minister may in writing 40 ment ou spécifiées par écrit par le Ministre. specify.

Petroleum Incentives Program

3. On application to the Minister for an

- (2) Sous réserve des règlements, le Minis-15 Établissement tre peut, selon le cas, établir le taux de participation canadienne du demandeur (a) in respect of a prescribed period, no 15 d'une subvention ou déterminer son état de contrôle canadien, s'il constate, en ce qui a trait à une demande qui lui est présentée en 20 vertu de l'article 4. l'existence de l'un des facteurs suivants .
  - a) à l'égard d'une période déterminée par règlement, il n'a été établi aucun taux de participation canadienne pour le deman-25 deur ou son état de contrôle canadien n'a pas été déterminé:
  - b) en raison d'une diminution du taux de participation canadienne du demandeur, dans la mesure et les cas prévus par règle-30 ment, celui-ci recevrait, si ce n'était du présent paragraphe, une subvention moindre que celle à laquelle il aurait eu droit sans cette diminution:
  - c) le taux de participation canadienne du 35 demandeur dépend en partie d'une personne qui n'est pas un ayant droit et qui est visée par règlement.

La période pendant laquelle le taux ou la détermination seront obligatoires pour le 40 demandeur ainsi que les conditions correspondantes peuvent être prévues par règle-

#### Programme d'encouragement du secteur pétrolier

incentive by a qualified person who establishes in his application in the form and

3. Toute demande de subvention adressée au Ministre où il est établi par un ayant 45 titre de droit, selon les modalités réglementaires, que

Subventions à participation de la Couronne

manner prescribed that he, or another person associated with him in the manner and to the extent prescribed, has on or after January 1. 1981, incurred eligible exploration expenses in respect of Canada lands, the applicant is, subject to such terms and conditions as are prescribed, entitled on the requisition of the Minister to a Crown share incentive in the amount of 25% of the eligible exploration expenses.

lui-même ou une autre personne avec laquelle il est associé, dans la mesure et de la facon réglementaires, a, le ler janvier 1981 ou par la suite, engagé des frais d'exploration 5 admissibles liés à des terres du Canada. 5 donne droit au demandeur, sous réserve des conditions réglementaires et après ordre de paiement du Ministre, à une subvention à titre de participation de la Couronne égale à 1025% de ces frais. 10

Second third and fourth level incentivee

- 4. On application to the Minister for an incentive by a qualified person who submits with his application prescribed evidence of his Canadian ownership rate and Canadian tion in the form and manner prescribed that
  - (a) he, or another person associated with him in the manner and to the extent prescribed, has on or after January 1, 1981 incurred eligible costs or expenses, and
  - (b) except in prescribed circumstances, the applicant has a prescribed interest or has or had such other interest as the Minister may in writing approve in respect of that applicant in or relating to the lands or 25 assets in respect of which the eligible costs or expenses were incurred.

the applicant is, subject to section 5 and to such terms and conditions as are prescribed, entitled on the requisition of the Minister to 30 an incentive in the amount determined in accordance with section 7, 8 or 9, whichever is applicable.

Approval of partners of partnership

Approval of

required in

Minister

certain circumstances

- 5. (1) Subject to the regulations, the Minmay specify, approve a partner of a partnership as being the person qualified to receive an incentive in respect of eligible costs or expenses incurred by the partnership and in cation and adjustments of eligible costs and expenses in respect of the partner and the partnership as he deems advisable in the circumstances.
- (2) The Governor in Council may pre-45 scribe the circumstances in which and the times at which a qualified person, in order to be entitled to an incentive under section 4 shall be required to obtain the approval in

4. L'avant droit qui demande au Ministre une subvention a droit, sous réserve de l'article 5 et des conditions réglementaires et après ordre de paiement du Ministre, à une control status and establishes in his applica-15 subvention égale aux montants prévus aux 15 articles 7, 8 ou 9, selon le cas, s'il présente la preuve réglementaire de son taux de participation canadienne ainsi que du fait qu'il remplit les conditions de contrôle canadien et 20 s'il établit dans sa demande, selon les modali-20 tés réglementaires, que :

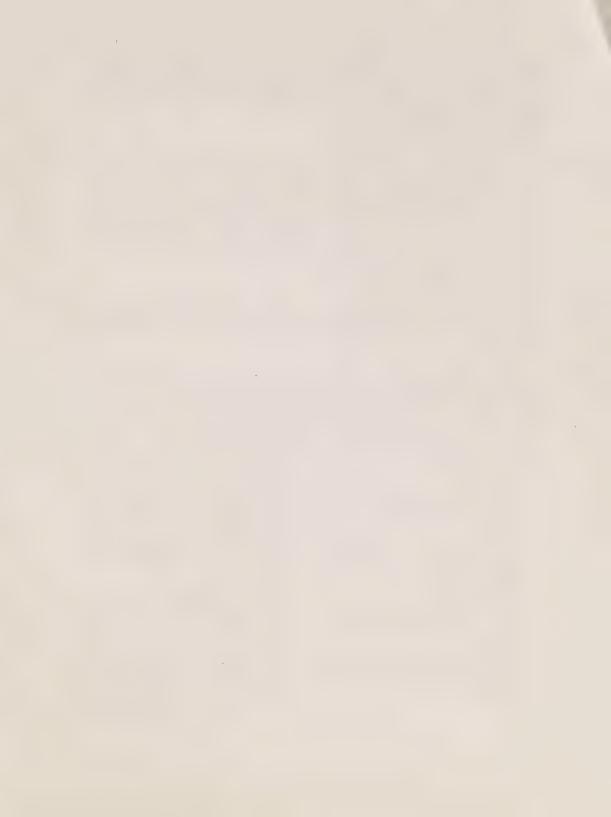
- a) d'une part, lui-même, ou une personne avec laquelle il est associé, dans la mesure et de la facon réglementaires, a engagé des coûts ou frais admissibles, le ler janvier 25 1981 ou par la suite:
- b) d'autre part, sauf pour les cas prévus par règlement, lui-même a un droit prévu par règlement ou il a ou a eu un droit que le Ministre approuve par écrit à son égard 30 sur les terres ou les biens auxquels sont liés les coûts ou frais admissibles.
- 5. (1) Sous réserve des règlements, le Reconnaissance ister may, on such terms and conditions as he 35 Ministre peut, aux conditions qu'il déter-35 de la qualité ister may, on such terms and conditions as he 35 Ministre peut, aux conditions qu'il déter-35 d'avant droit à mine, reconnaître la qualité d'ayant droit à un associé un associé d'une société de personnes quant aux coûts ou frais admissibles engagés par la société; le cas échéant, il peut, en ce qui such case the Minister may make such allo-40 concerne l'associé ou la société, répartir et 40 rectifier les coûts ou frais de la manière qu'il juge indiquée dans les circonstances.
  - (2) Le gouverneur en conseil peut, par règlement, déterminer les cas et circonstances de temps où un ayant droit est tenu, 45 afin d'être admis, en application de l'article 4, à l'octroi d'une subvention, d'obtenir l'ap-

Approbation du Ministre dans

Subventions des

niveaux 2, 3

certains cas



writing of the Minister and in such case a qualified person in those circumstances shall not be entitled to an incentive under section 4 unless such approval has been so obtained and the qualified person has com- 5 plied with such terms and conditions, if any, as the Minister may impose in the approval.

probation écrite du Ministre: l'avant droit est alors aussi tenu de remplir les éventuelles conditions dont le Ministre peut assortir son approbation.

Incentive where person ceases to

6. (1) Where a person who, having ceased to exist during a prescribed period, would, in titled to an incentive if that person had continued to exist and had made an application for the incentive, the Minister may, subject to the regulations and on such terms and conditions as he may specify, make the 15 voir à la place de cette personne. incentive to an applicant therefor who in the opinion of the Minister should receive the incentive in the absence of that person.

6. (1) Le Ministre, s'il estime qu'une per- 5 Cessation sonne avant cessé d'exister au cours de la the opinion of the Minister, have been en-10 période déterminée par règlement aurait eu droit à une subvention en cas de demande. peut, sous réserve des règlements et aux conditions qu'il fixe, verser la subvention au 10 demandeur qu'il juge le plus apte à la rece-

Deemed cessation of corporations

(2) For the purposes of subsection (1), where two or more corporations amalgamate, 20 des sociétés qui fusionnent sont réputées each of those corporations shall be deemed to have ceased to exist on the date of the amalgamation.

Cas de fusion

d'existence

Second level incentives

- 7. Where eligible costs or expenses in tive is made were incurred at a time when the Canadian ownership rate of the applicant for the incentive was within the appropriate range set out in paragraph 10(a) in respect of a year and the applicant was at that time 30 tion est établi de la façon suivante : Canadian controlled, the amount of the incentive shall be
  - (a) for eligible costs or expenses incurred in respect of Canada lands in
    - (i) 1981, 10% of the eligible exploration 35 expenses.
    - (ii) 1982 or 1983, 20% of the eligible exploration expenses, 10% of the eligible development expenses and 10% of the eligible asset costs, and 40
    - (iii) 1984 and each subsequent year, 25% of the eligible exploration expenses, 10% of the eligible development expenses and 10% of the eligible asset costs: or
  - (b) for eligible costs or expenses incurred in respect of lands in Canada other than Canada lands in

7. Dans les cas où le demandeur remplit respect of which an application for an incen-25 les conditions de contrôle canadien et où son taux de participation canadienne est dans la tranche applicable pour l'année en vertu de l'alinéa 10a) lorsque les coûts ou frais admis-20 sibles sont engagés, le montant de la subven-

(2) Pour l'application du paragraphe (1),

avoir cessé d'exister au moment de la fusion. 15

a) si les coûts ou frais admissibles sont liés à des terres du Canada :

- (i) en 1981, la subvention est de 10% 25 des frais d'exploration admissibles,
- (ii) en 1982 ou 1983, la subvention est de 20% des frais d'exploration admissibles, 10% des frais d'aménagement admissibles et 10% des coûts admissibles 30 des biens.
- (iii) en 1984 et pour toutes les années suivantes, la subvention est de 25% des frais d'exploration admissibles, 10% des frais d'aménagement admissibles et 10% 35 des coûts admissibles des biens;
- b) si les coûts ou frais admissibles sont liés à des terres situées au Canada mais qui ne sont pas des terres du Canada:
  - (i) en 1982 ou 1983, la subvention est 40 de 10% des frais d'exploration admissi-

Subventions de niveau 2



- (i) 1982 or 1983, 10% of the eligible exploration expenses, 10% of the eligible development expenses and 10% of the eligible asset costs, and
- (ii) 1984 and each subsequent year, 5 15% of the eligible exploration expenses. 10% of the eligible development expenses and 10% of the eligible asset costs

bles. 10% des frais d'aménagement admissibles et 10% des coûts admissibles des hiens

(ii) en 1984 et pour toutes les années suivantes la subvention est de 15% des 5 frais d'exploration admissibles, 10% des frais d'aménagement admissibles et 10% des coûts admissibles des biens.

Third level incentives

- 8. Where eligible costs or expenses in 10 respect of which an application for an incentive is made were incurred at a time when the Canadian ownership rate of the applicant for the incentive was within the appropriate range set out in paragraph 10(b) in respect 15 sibles sont engagés, le montant de la subvenof a year and the applicant was at that time Canadian controlled, the amount of the incentive shall be
  - (a) for eligible costs or expenses incurred in respect of Canada lands, 40% of the 20 eligible exploration expenses, 15% of the eligible development expenses and 15% of the eligible asset costs; or
  - (b) for eligible costs or expenses incurred in respect of lands in Canada other than 25 Canada lands, 25% of the eligible exploration expenses, 15% of the eligible development expenses and 15% of the eligible asset costs.

8. Dans les cas où le demandeur remplit les conditions de contrôle canadien et où son 10 niveau 3 taux de participation canadienne est dans la tranche applicable pour l'année en vertu de l'alinéa 10b) lorsque les coûts ou frais admistion est établi de la facon suivante :

a) 40% des frais d'exploration admissibles, 15% des frais d'aménagement admissibles et 15% des coûts admissibles des biens si ces coûts ou frais admissibles sont liés à des terres du Canada:

b) 25% des frais d'exploration admissibles, 15% des frais d'aménagement admissibles et 15% des coûts admissibles des biens si ces coûts ou frais admissibles sont liés à des terres situées au Canada mais qui ne 25 sont pas des terres du Canada.

Fourth level incentives

- 9. Where eligible costs or expenses in 30 respect of which an application for an incentive is made were incurred at a time when the Canadian ownership rate of the applicant for the incentive was within the appropriate range set out in paragraph 10(c) in respect of 35 sibles sont engagés, le montant de la subvena year and the applicant was at that time Canadian controlled, the amount of the incentive shall be
  - (a) for eligible costs or expenses incurred in respect of Canada lands, 55% of the 40 eligible exploration expenses, 20% of the eligible development expenses and 20% of the eligible asset costs; or
  - (b) for eligible costs or expenses incurred in respect of lands in Canada other than 45 Canada lands, 35% of the eligible exploration expenses, 20% of the eligible development expenses and 20% of the eligible asset costs.

- 9. Dans les cas où le demandeur remplit les conditions de contrôle canadien et où son taux de participation canadienne est dans la tranche applicable pour l'année en vertu de 30 l'alinéa 10c) lorsque les coûts ou frais admistion est établi de la façon suivante :
  - a) 55% des frais d'exploration admissibles, 20% des frais d'aménagement admis-35 sibles et 20% des coûts admissibles des biens si ces coûts ou frais admissibles sont liés à des terres du Canada:
  - b) 35% des frais d'exploration admissibles, 20% des frais d'aménagement admissibles 40 et 20% des coûts admissibles des biens si ces coûts ou frais admissibles sont liés à des terres situées au Canada mais qui ne sont pas des terres du Canada.

Subventions de niveau 4

Subventions de



Tranches du

participation

canadienne

tour de

7

35

Ranges of Canadian ownership rate

- 10. In respect of each of the following years, the appropriate range of Canadian ownership rate is
  - (a) for the purposes of section 7:
    - (i) for 1981—50% or more but less 5 than 60%.
    - (ii) for 1982-50% or more but less than 61%
    - (iii) for 1983—50% or more but less than 62%.
    - (iv) for 1984-50% or more but less than 63%.
    - (v) for 1985-50% or more but less than 64%.
    - (vi) for 1986 and each subsequent 15 year—50% or more but less than 65%;
  - (b) for the purposes of section 8:
    - (i) for 1981—60% or more but less than 65%.
    - (ii) for 1982—61% or more but less 20 than 67%.
    - (iii) for 1983-62% or more but less than 69%.
    - (iv) for 1984—63% or more but less than 71%.
    - (v) for 1985-64% or more but less than 73%.
    - (vi) for 1986 and each subsequent year-65% or more but less than 75%; 30
  - (c) for the purposes of section 9:
    - (i) for 1981—65% or more.
    - (ii) for 1982—67% or more.
    - (iii) for 1983-69% or more,
    - (iv) for 1984—71% or more.

    - (v) for 1985—73% or more.
    - (vi) for 1986 and each subsequent year—75% or more.

#### Administration

11. (1) Where, for the purposes of claiming a tax credit under the Petroleum and 40 la forme réglementaire, au versement, total Gas Revenue Tax Act or a prescribed taxation statute of Canada, an applicant for an incentive waives in prescribed form the

- 10. Les tranches applicables du taux de participation canadienne pour les années mentionnées sont :
  - a) pour l'application de l'article 7 :
    - (i) en 1981 entre 50% inclus et 60% 5 exclu
    - (ii) en 1982 entre 50% inclus et 61%
    - (iii) en 1983 entre 50% inclus et 62% exclu.
    - (iv) en 1984 entre 50% inclus et 63% exclu.
    - (v) en 1985 entre 50% inclus et 64%
  - (vi) en 1986 et au cours des années 15 suivantes - entre 50% inclus et 65% exclu:
  - b) pour l'application de l'article 8 :
    - (i) en 1981 entre 60% inclus et 65% 20
    - (ii) en 1982 entre 61% inclus et 67%
    - (iii) en 1983 entre 62% inclus et 69% exclu.
    - (iv) en 1984 entre 63% inclus et 71% 25 exclu.
    - (v) en 1985 entre 64% inclus et 73%
    - (vi) en 1986 et au cours des années suivantes - entre 65% inclus et 75% 30

35

- c) pour l'application de l'article 9 :
  - (i) en 1981 au moins 65%,
  - (ii) en 1982 au moins 67%,
  - (iii) en 1983 au moins 69%,
  - (iv) en 1984 au moins 71%,
  - (v) en 1985 au moins 73%,
  - (vi) en 1986 et au cours des années suivantes — au moins 75%.

## Mesures administratives

11. (1) Le demandeur qui renonce, dans 40 Renonciation ou partiel, d'une subvention afin de demander un crédit d'impôt en vertu de la Loi de l'impôt sur les revenus pétroliers ou d'une loi

Waiver of payment



incentive or any portion thereof to which he is entitled under this Part, the applicant shall be deemed to have received the incentive or portion thereof, as the case may be.

fiscale du Canada visée par règlement est réputé avoir recu le versement.

Idem

(2) No waiver referred to in subsection (1) 5 shall be revoked except with the consent of the Minister.

(2) La renonciation visée au paragraphe (1) ne peut être révoquée qu'avec le consentement du Ministre.

Idem

Crown debt

12. An incentive due or becoming due to an applicant shall constitute a Crown debt Financial Administration Act

12. La subvention due ou exigible constitue une dette de la Couronne au sens de within the meaning of section 79 of the 101'article 79 de la Loi sur l'administration financière

Dette de la couronne

ments et

fournir

documents à

Information and documenta-

13. Every applicant for and every recipient of an incentive shall, in addition to the information and documentation included by him, submit to the Minister such additional or other information and documentation as may be required under the regulations or by the Minister in order to enable the Minister to ascertain the entitlement of 20 documents qu'elles ont déià fournis. the applicant or recipient to the incentive and to verify the accuracy and completeness of the information and documentation that has been previously submitted by him.

13. Les demandeurs et bénéficiaires de 10 Renseignesubventions sont tenus de fournir, outre les renseignements et documents présentés antéwith his application or previously submitted 15 rieurement ou avec leur demande, ceux qui sont exigés par les règlements ou le Ministre pour permettre à celui-ci de déterminer l'ad-15 missibilité de ces personnes, ainsi que l'exactitude et l'intégralité des renseignements et

Documents records and hooks

14. Every applicant for and every recipi-25 ent of an incentive shall keep documents. records and books of account at his place of business or other prescribed place in Canada in such form and containing such informathe entitlement of the applicant or recipient to the incentive and to verify the accuracy and completeness of the information and documentation that the applicant or recipient submits to the Minister. 35

14. Les demandeurs et bénéficiaires de Documents subventions doivent tenir au Canada, à leur 20 dossiers et livres établissement ou en un autre lieu prévu par

règlement, les documents, dossiers et livres de comptabilité dont le contenu et la forme tion as will enable the Minister to ascertain 30 permettent au Ministre de déterminer l'admissibilité de ces personnes, ainsi que l'exac-25 titude et l'intégralité des renseignements ou documents qu'elles lui fournissent.

Disposal of records

15. Every person required by section 14 to keep documents, records and books of account shall, unless otherwise authorized by the Minister, retain every such document, tion of six years from the day the Minister receives the application for the incentive to which the document, record or book of account relates.

Conservation

15. Les personnes visées à l'article 14 ne peuvent se passer de l'autorisation du Ministre pour disposer des documents, dossiers et 30 livres qui v sont mentionnés qu'après les six record or book of account until the expira-40 ans qui suivent la réception par celui-ci de la demande de subvention à laquelle ils se rapportent.

Audit or examination

- **16.** (1) Every person required by section 45 14 to keep documents, records and books of account shall, for the purpose of audit or examination.
- 16. (1) Les personnes visées à l'article 1435 Examen et vérification sont tenues, dans le cadre d'une vérification ou d'un examen :



- (a) make those documents, records and books of account available at all reasonable times to any person authorized by the Minister for the purpose: and
- (b) give all reasonable assistance to a 5 person authorized by the Minister to carry out the audit or examination, provide access to all relevant sites, answer, orally or in writing, as required, all questions relating to the audit or examination and 10 provide all information, documentation and copies required for the purpose of the audit or examination

Idem

- (2) Where an applicant for or a recipient a payment from the applicant or recipient any amount of which is or was related to the determination of the incentive were, at the time the payment was made, related persons, the Minister to ascertain the entitlement of the applicant or recipient to the incentive and to verify the accuracy and completeness of the information and documentation that the applicant or recipient submits to the Minis-25 ter.
  - (a) make all documents, records and books of account related to the payment available at all reasonable times to any person authorized by the Minister for the 30 purpose of an audit or examination; and
  - (b) give all reasonable assistance to a person authorized by the Minister to carry out the audit or examination, provide access to all relevant sites, answer, orally 35 or in writing, as required, all questions relating to the audit or examination and provide all information, documentation and copies required for the purpose of the audit or examination. 40

- a) de mettre, à toute heure convenable, les documents, dossiers et livres mentionnés à cet article à la disposition des personnes autorisées à cet effet par le Ministre:
- b) de donner aux personnes autorisées par 5 le Ministre à effectuer la vérification ou l'examen l'assistance raisonnable requise à cette fin ainsi que l'accès aux lieux appropriés, répondre aux questions indiquées concernant la vérification ou l'examen, 10 oralement ou par écrit selon la demande qui leur est faite, et fournir tous les renseignements, documents ou doubles nécessaires à l'examen ou à la vérification
- (2) Les personnes qui ont recu du deman- 15 Idem of an incentive and any person who received 15 deur ou du bénéficiaire d'une subvention un paiement entrant en ligne de compte dans l'octroi de la subvention sont tenues, si ces personnes et le demandeur ou le bénéficiaire étaient des personnes liées lors du paiement 20 the person shall, for the purposes of enabling 20 et pour permettre au Ministre de déterminer l'admissibilité du demandeur ou du bénéficiaire, ainsi que l'exactitude et l'intégralité des renseignements qu'il lui fournit :
  - a) de mettre, à toute heure convenable, les 25 documents, dossiers et livres utiles à la disposition des personnes autorisées par le Ministre à effectuer une vérification ou un examen.
  - b) de donner aux personnes autorisées par 30 le Ministre à effectuer la vérification ou l'examen l'assistance raisonnable requise à cette fin ainsi que l'accès aux lieux appropriés, de répondre aux questions indiquées concernant la vérification ou l'examen, 35 oralement ou par écrit selon la demande que leur est faite, et de fournir tous les renseignements, documents ou doubles nécessaires à l'examen ou à la vérification.

Definition of "related persons'

- (3) For the purposes of subsection (2), "related persons" has the same meaning as in subsection 251(2) of the Income Tax Act and in the application of the provisions of section 251 of that Act in respect of related 45 aux personnes liées visées au paragraphe persons referred to in subsection (2) of this section.
  - (3) Pour l'application du paragraphe (2), 40 Définition de «personnes liées» s'entend au sens du paragraphe 251(2) de la Loi de l'impôt sur le revenu et pour l'application de cet article 251

«personnes liées»

a) «corporation» est remplacé par «société» ou «société de personnes»;



(a) a reference in those provisions to a corporation shall be read as a reference to a corporation or a partnership; and

(b) the references therein to shares and shareholders in respect of corporations 5 shall, in the case of a partnership, be read as references to the partnership rights and partners in respect of the partnership.

b) «actions» et «actionnaires» sont, dans le cas d'une société de personnes, remplacés par «droits des associés» et «associés» respectivement.

## Disclosure of Information

#### Communication de renseignements

agences visées aux alinéas 18a) à d) ou 32b)

dans le cadre de la présente partie sont proté-

gés. Nul ne peut, sciemment, les communiquer ou les laisser communiquer, sauf sur 10

17. Les renseignements et documents 5 Renseigne-

Privilege

17. Information or documentation obtained by the Minister under this Part or by 10 obtenus par le Ministre ou les personnes ou a person or agency referred to in paragraphs 18(a) to (d) or paragraph 32(b) is privileged and shall not knowingly be or be permitted to be communicated, disclosed or made available without the written consent of the 15 autorisation écrite de la personne dont ils

person from whom it was obtained.

Exceptions

- 18. Information or documentation obtained under this Part may be communicated, disclosed or made available for the purposes of the administration or enforcement of 20 this Part, legal proceedings related thereto or criminal proceedings under this Part or any Act of Parliament and may be communicated, disclosed or made available
  - (a) to the Minister of Finance solely for 25 the purposes of evaluating and formulating tax policy in relation to energy matters;
  - (b) to the Minister of National Revenue solely for the purpose of administering or enforcing the *Income Tax Act* or any other 30 prescribed taxation statute of Canada:
  - (c) to the Chief Statistician of Canada for the purposes of the Statistics Act; and
  - (d) to any agency established under an Act of Parliament to which the Minister 35 is, by such Act, required to make available statistics, information and documentation obtained by the Minister under such Act that relate to energy enterprises or corporations that control energy enterprises. 40

proviennent. 18. Les renseignements et documents protégés peuvent toutefois être communiqués dans le cadre de l'application de la présente 15 partie, des instances qui en découlent ou des poursuites criminelles prévues par la présente partie ou une loi du Parlement; ils peuvent en

outre être communiqués :

Exceptions

ments et

protégés

documents

- a) au ministre des Finances, mais unique-20 ment en vue de l'évaluation et de la formulation de la politique fiscale en matière d'énergie;
- b) au ministre du Revenu national mais uniquement en vue de l'application de la 25 Loi de l'impôt sur le revenu ou d'une loi fiscale du Canada prévue par règlement:
- c) au statisticien en chef du Canada, en vue de l'application de la Loi sur la 30 statistique:
- d) à une agence constituée en vertu d'une loi du Parlement laquelle exige que le Ministre mette à la disposition de cette agence les statistiques, renseignements et documents relatifs à des entreprises éner-35 gétiques ou à des sociétés qui contrôlent des entreprises énergétiques et qu'il obtient dans le cadre de cette loi.

19. The name of a recipient of an incentive and the aggregate of incentives received by him in a twelve month period may be disclosed by the Minister in his annual report

19. Le Ministre peut divulguer dans le rapport annuel des activités du ministère de 40 l'Énergie, des Mines et des Ressources au cours d'un exercice le nom du bénéficiaire showing the operations of the Department of 45 d'une subvention ainsi que le total des mon-

Disclosure of names of recipients



Energy, Mines and Resources for a fiscal vear.

Evidentiary privilege

20. Notwithstanding any other Act or law no person who obtains information or required, in connection with any legal proceedings, other than proceedings relating to the administration or enforcement of this Part or criminal proceedings under this Part relating to any information or documentation that is privileged under this Part or to produce any statement, document, writing or portion thereof containing any such information or documentation.

tants qui lui ont été versés au cours d'une période de douze mois.

20. Par dérogation à toute autre loi ou règle de droit, il ne peut être exigé d'une documentation under this Part shall be 5 personne qui obtient des renseignements ou 5 des documents dans le cadre de la présente partie de déposer en justice au sujet des renseignements ou documents protégés au titre de la présente partie, ni de produire tout or any Act of Parliament, to give evidence 10 ou partie des déclarations, écrits ou autres 10 pièces concernant ces renseignements ou documents, sauf lors d'une instance se rapportant à l'application de la présente partie ou d'une poursuite criminelle prévue par la 15 présente partie ou une loi du Parlement.

Déposition en

## Regulations

Regulations

- 21. The Governor in Council may make regulations
  - (a) prescribing any matter or thing that is by this Part to be prescribed:
  - (b) specifying, for the purposes of this 20 Part and the regulations, the time at which eligible costs or expenses shall be deemed to have been incurred:
  - (c) specifying the times for making applications for incentives and the time 25 limit within which an application shall be made in order that the applicant may be eligible to receive an incentive and providing for the extension by the Minister of such times or time limits: 30
  - (d) requiring notices to be submitted to the Minister by or on behalf of persons who have received incentives that are greater or less than the amounts to which they are entitled, specifying the time limits 35 within which such notices shall be submitted and providing for the extension by the Minister of such time limits:
  - (e) specifying assets that shall not, unless they are approved in writing by the Minis-40 ter on such terms and conditions as he may impose, be considered as assets for the purposes of the definition "eligible asset cost" in subsection 2(1);
  - (f) requiring forecasts of anticipated eli-45 gible costs or expenses or of anticipated incentives to be submitted to the Minister

## Règlements

21. Le gouverneur en conseil peut, par règlement :

Règlements

- a) prendre toute mesure qui, aux termes de la présente partie, doit être prise par
- b) préciser, pour l'application de la présente partie, le moment où les coûts ou frais admissibles sont réputés avoir été engagés;
- c) préciser les intervalles et les délais à 25 observer pour les demandes de subventions ainsi que les cas où le Ministre peut accorder des prorogations;
- d) obliger les personnes qui ont recu une subvention plus élevée ou moindre que 30 celle à laquelle elles avaient droit d'en donner ou faire donner en leur nom avis au Ministre, préciser les délais à observer pour donner avis et prévoir la prorogation de ces délais par le Ministre;
- e) préciser les biens qui, sauf approbation écrite du Ministre et sous réserve des conditions qu'il peut imposer, ne peuvent être pris en considération dans le cadre de l'application de la définition de «coût admissi-40 ble d'un bien» au paragraphe 2(1);
- f) prévoir l'obligation de fournir au Ministre des prévisions quant aux coûts ou frais admissibles envisagés ou aux subventions envisagées et prévoir les modalités et délais 45 de présentation de ces prévisions:



by persons and specifying the times within which and the form and manner in which such forecasts shall be submitted; and

(g) respecting such other matters or things as are necessary to carry out the 5 provisions of this Part.

g) pourvoir à la réalisation des dispositions de la présente partie.

Adjustment of eligible costs or expenses

22. (1) Eligible costs or expenses referred to in sections 7 to 9 shall be adjusted in the manner prescribed.

Minister may require no adjustment, etc.

- Notwithstanding subsection (1), 10 (2) where, in the opinion of the Minister, the adjustment in accordance with that subsection of eligible costs or expenses in respect of which an application for an incentive is made is not or will not be in the public interest, the 15 d'une demande de subvention, celui-ci peut, Minister may, on such terms and conditions as he may specify, require that no adjustment of the eligible costs or expenses be made or that the eligible costs or expenses be adjusted in such manner or to such an extent 20 as the Minister specifies, but no adjustment pursuant to this subsection shall have the effect of making adjusted eligible costs or expenses
  - (a) less than the amount that would result 25 if the eligible costs or expenses were adjusted in accordance with subsection (1): or
  - (b) greater than the eligible costs or 30

Adjustments re approved interests

(3) The Minister may make such adjustments of eligible costs and expenses in respect of an interest approved under paragraph 4(b) as he deems advisable in the circumstances.

## Enforcement

Withholding or refusing to make payments

23. Where a person contravenes or fails to comply with any provision of this Part or the regulations, the Minister may withhold in whole or in part or may refuse to make any payment to that person on account of an 40 de ses règlements, ou retenir tout ou partie incentive.

Recovery

24. Where an incentive is made to a person and for any reason the person was not or is not entitled to the incentive or the to which the person was or is entitled, or where an incentive is made in circumstances

22 (1) Les coûts ou frais admissibles visés aux articles 7 à 9 doivent être rectifiés de la facon réglementaire.

Rectification des coûts ou frais admissi-5 hles

le Ministre

Dérogation par

- (2) Nonobstant le paragraphe (1), dans les cas où de l'avis du Ministre, la rectification qui v est prévue n'est ou ne sera pas conforme à l'intérêt public en ce qui a trait à des coûts ou frais admissibles faisant l'objet 10 aux conditions qu'il précise, ordonner de n'effectuer aucune rectification ou prévoir d'autres modalités de rectification; le mon-15 tant rectifié ne peut toutefois être :
  - a) moindre que le montant qui serait obtenu en vertu du paragraphe (1);
  - b) supérieur au montant des coûts ou frais admissibles.

(3) Le Ministre peut rectifier les coûts ou 20 Rectification frais admissibles se rapportant à un droit qu'il a approuvé en vertu de l'alinéa 4b) de la manière qu'il estime indiquée dans les 35 circonstances.

droit approuvé

#### Sanctions

- 23. Le Ministre peut refuser les verse-25 Non-versements prévus au titre d'une subvention à la personne qui ne se conforme pas ou contrevient aux dispositions de la présente partie ou de ces versements.
- 24. Tout montant qui, pour quelque raison, n'aurait pas dû être versé ou a été versé en trop ou tout montant versé alors que amount of the incentive exceeds the amount 45 les conditions imposées sous le régime de la présente partie n'ont pas été observées peut 35 être recouvré, avec les intérêts prévus par

Recouvrement de versements



in which a term or condition has been imposed under this Part and such term or condition has not been met or has been contravened, the amount of the incentive or excess, as the case may be, together with 5 partie. interest determined in accordance with the regulations is a debt due to Her Majesty in right of Canada and may be recovered as such from the person in any court of competent jurisdiction or may be retained in 10 whole or in part out of any amount payable to the person under this Part.

règlement, à titre de créance de Sa Maiesté du chef du Canada devant tout tribunal compétent ou être déduit des versements éventuellement dus sous le régime de la présente

Failure to comply

25. Subject to section 26, everyone who contravenes or fails to comply with any guilty of an offence punishable on summary conviction and is liable to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding one year or to both.

25. Sous réserve de l'article 26, quiconque ne se conforme pas ou contrevient aux dispoprovision of this Part or the regulations is 15 sitions de la présente partie ou de ses règlements commet une infraction et est passible. sur déclaration sommaire de culpabilité, 10 d'une amende d'au plus vingt-cinq mille dol-

lars et d'un emprisonnement d'au plus un an,

20 ou de l'une de ces peines.

Cas d'inobser-

False informa-

- 26. Every one who, under this Part, submits any information or documentation, makes any statement or answers any question, whether in connection with an application, documentation, statement or answer is false or misleading or misrepresents or fails to disclose a material fact, is guilty of an offence and is liable
  - (a) on summary conviction, to a fine not 30 ble: exceeding one hundred thousand dollars or to imprisonment for a term not exceeding
  - (b) on conviction on indictment, to a fine imprisonment for a term not exceeding

26. Quiconque, notamment lors d'une demande de subvention, fournit des rensei-15 ments gnements ou documents, fait une déclaration ou répond à une question sachant que les tion or otherwise, knowing that the informa-25 renseignements, les documents, la déclaration ou la réponse sont faux ou trompeurs. présente un fait important d'une manière 20 erronée ou omet de divulguer un fait impor-

tant est coupable d'une infraction et passi-

Faux renseigne-

- one year or to both; or not exceeding one million dollars or to 35
- five years or to both.
- a) sur déclaration sommaire de culpabilité, d'une amende d'au plus cent mille 25 dollars et d'un emprisonnement d'au plus un an, ou de l'une de ces peines;
- b) sur déclaration de culpabilité par voie de mise en accusation, d'une amende d'au plus un million de dollars et d'un empri-30 sonnement d'au plus cinq ans, ou de l'une de ces peines.

Offence by employee or agent

27. In any prosecution for an offence under this Part, it is sufficient proof of the an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was and that he exercised all due diligence to prevent its commission.

27. Dans les poursuites pour infraction à la présente partie, il suffit, pour établir l'inoffence to establish that it was committed by 40 fraction, de prouver qu'elle a été commise 35 mandataire par un employé ou un mandataire de l'accusé, que cet employé ou mandataire ait été ou non identifié ou poursuivi. L'accusé peut se disculper en prouvant que l'infraction a committed without his knowledge or consent 45 été perpétrée à son insu ou sans son consente-40 ment et qu'il avait pris toutes les précautions raisonnables pour l'empêcher.

Infraction perpétrée par un employé ou



10

Officer, etc., of corporation

28. Where a corporation commits an offence under this Part, any officer, director or agent of the corporation who directed. authorized, assented to, acquiesced in or participated in the commission of the offence is a party to and guilty of the offence and is liable on conviction to the punishment provided for the offence, whether or not the corporation has been prosecuted or convicted.

28. En cas de perpétration par une société d'une infraction à la présente partie, ceux de ses dirigeants, administrateurs ou mandataires qui l'ont ordonnée ou autorisée ou qui y 5 ont consenti ou participé sont parties à l'in- 5 fraction, en sont coupables et sont passibles de la peine prévue, que la société ait été ou non poursuivie ou déclarée coupable.

Dirigeants, etc. de sociétés

Subvention

Limitation

29. Proceedings by way of summary conviction in respect of an offence under this Part may be instituted at any time within but not after five years from the time when the subject-matter of the proceedings arose.

Prescription 29. Dans le cas des infractions à la présente partie qui sont punissables sur déclara-10 tion sommaire de culpabilité, les poursuites se prescrivent par cinq ans à compter de la 15 perpétration des infractions.

de la présente partie, le Ministre est tenu, s'il 15 nulle ou réduite

No incentive or reduced incentive

30. (1) Notwithstanding anything in this Part, where the Minister is of the opinion that a person who is an applicant for or a recipient of an incentive has done any act or thing that increases improperly, unduly or 20 entraîné une augmentation abusive ou artifiartificially the amount of incentive that would otherwise be made to the person, the Minister shall

(a) in the case of a person who is an applicant, 25

- (i) refuse to make any incentive in respect of his application, or
- (ii) reduce the amount of incentive applied for by such amount as the Minister deems appropriate in the circum-30 stances: or
- (b) in the case of a person who is a recipient, notify the person in writing that he is not entitled to the incentive made to him or that the amount thereof is reduced by 35 such sum as, being specified in the notice, the Minister deems appropriate in the circumstances.

cielle du montant de la subvention :

**30.** (1) Nonobstant les autres dispositions

estime qu'un demandeur ou un bénificiaire a

fait certains actes ou opérations qui ont

a) dans le cas d'un demandeur : 20

(i) soit de refuser la subvention.

- (ii) soit de diminuer la subvention, dans la mesure qu'il estime indiquée dans les circonstances:
- b) dans le cas d'un bénéficiaire, d'aviser 25 par écrit celui-ci soit qu'il n'a pas droit à la subvention qui lui a été versée, soit que celle-ci sera diminuée dans la mesure que le Ministre précise et qu'il estime indiquée dans les circonstances.

Advice of proposed action

(2) The Minister shall not take any action in respect of a person referred to in para-40 res prévues aux alinéas (1)a) ou b) qu'après graph (1)(a) or (b) unless he has in writing advised the person of the action proposed to be taken and provided the person with a reasonable opportunity of making representations to the Minister in respect thereof.

(2) Le Ministre ne peut prendre les mesuavoir donné à la personne visée un avis de son intention et lui avoir donné la possibilité de présenter des observations à ce sujet.

Préavis des mesures envisagées

Recovery

(3) Where the Minister has, under paragraph (1)(b), notified a person that he is not entitled to the incentive made to him or that the amount thereof is reduced by a sum

(3) Dans les cas visés à l'alinéa (1)b, le montant de la subvention ou de la diminution selon le cas, peut être recouvré, avec les intérêts prévus par règlement, à titre de

Recouvrement



specified in the notice, the incentive or the sum so specified together with interest determined in accordance with the regulations is a debt due to Her Maiesty in right of Canada and may be recovered as such from the 5 person in any court of competent jurisdiction or may be retained in whole or in part out of any amount payable to the person under this Part.

créance de Sa Majesté du chef du Canada devant tout tribunal compétent ou être déduit des versements éventuellement dus sous le régime de la présente partie.

Appeal

(4) For greater certainty the Federal 10 Court of Appeal has jurisdiction, under section 28 of the Federal Court Act, on any ground set out in section 28 of that Act, to hear and determine an application to review under subsection (1) of this section.

(4) Il demeure entendu que la Cour d'ap- 5 Appel pel fédérale a compétence en vertu de l'article 28 de la Loi sur la Cour fédérale, pour les motifs qui v sont mentionnés, pour entendre et juger une demande d'examen et pour and set aside a determination of the Minister 15 annuler une décision du Ministre en vertu du 10 paragraphe (1) du présent article.

Computation of interest

(5) Interest referred to in section 24 or subsection (3) of this section shall be computed from the date the incentive referred to in that section or subsection was made.

(5) Les intérêts prévus à l'article 24 ou au paragraphe (3) se calculent à compter de la date du versement de la subvention visée 20 dans ces dispositions.

Calcul des

#### General

Appropriation

31. (1) There is hereby appropriated for the purposes of this Part, in respect of the fiscal years ending March 31, 1983, one billion, nine hundred and seventy million dolnue Fund from time to time as required.

ldem

(2) Additional sums required for the purposes of this Part shall be paid out of moneys appropriated by Parliament for that purpose.

Dispositions générales

31. (1) Est autorisée, pour l'application de Crédits la présente partie au cours des exercices se terminant le 31 mars 1983, l'affectation d'un crédit de un milliard neuf cent soixante-dix lars to be paid out of the Consolidated Reve-25 millions de dollars, à prélever sur le Fonds du 20 revenu consolidé au fur et à mesure des besoins.

Entente avec

une province

(2) Les fonds supplémentaires nécessaires à l'application de la présente partie sont prélevés sur les crédits affectés à cette fin par le 25 Parlement.

Agreement re provincial program

- 32. Subject to the approval of the Gover- 30 nor in Council, the Minister may enter into an agreement with the government of a province whereby the government of the province undertakes to establish and operate a program similar to the incentive program under 35 prévu par la présente partie et portant sur les this Part in respect of costs and expenses of persons relating to oil and gas exploration and development in the province, and where such an agreement is entered into and such a program is established and operated by the 40 la province: province.
  - (a) no incentive shall be made in respect of eligible costs or expenses incurred in respect of lands in the province to which that program applies; and 45

32. Le Ministre peut, avec l'approbation du gouverneur en conseil, conclure une entente avec le gouvernement d'une province pour la création et l'exécution par celui-ci 30 d'un programme similaire à celui qui est coûts et frais de recherche et d'exploitation du pétrole et du gaz dans la province; il découle de la conclusion de l'entente et de la 35 création et de l'exécution du programme par

a) qu'aucune subvention ne doit être versée pour les coûts ou frais admissibles liés aux terres auxquelles s'appliquent le 40 programme;



(b) subject to the agreement, information or documentation obtained under this Part may, for the purposes of the administration and enforcement of that program, be communicated, disclosed or made avail- 5 able to a person engaged in the administration or enforcement of that program.

b) que, sous réserve de l'entente, les renseignements ou documents obtenus aux termes de la présente partie peuvent, pour l'application et le contrôle du programme, être communiqués aux personnes affectées 5 à cette application ou à ce contrôle.

Varying percentage rates

33. (1) The Governor in Council may, from time to time, in respect of any year or part of a year, by order, increase or decrease 10 any percentage rate set out in section 7, 8 or 9 and in such case the percentage rate as so increased or decreased shall, in respect of that year or part of a year, be deemed to be substituted for the percentage rate referred 15 to in the order that was in effect immediately prior to the increase or decrease.

33. (1) Le gouverneur en conseil peut, par décret, modifier les articles 7, 8 ou 9 en faisant varier, pour des périodes d'une année ou fraction d'année, les pourcentages qui v 10 figurent.

Variation des pourcentages

Where order does not apply

(2) No order made under this section shall apply in respect of a year or part of a year Canada Gazette has occurred at least one year prior to the commencement of the year or part of a year in respect of which the order is to apply.

(2) Tout décret pris aux termes du paragraphe (1) ne peut s'appliquer à une période unless the publication of the order in the 20 donnée que s'il a été publié dans la Gazette du Canada au moins un an avant le début de 15 cette période.

Publication préalable

#### PART II

## CANADIAN OWNERSHIP AND CONTROL DETERMINATION

# PARTIE II

## DÉTERMINATION DE LA PARTICIPATION ET DU CONTRÔLE **CANADIENS**

#### Short Title

Short title

34. This Part may be cited as the Canadi- 25 an Ownership and Control Determination Act.

#### Titre

34. La présente partie peut être citée sous le titre : Loi sur la détermination de la participation et du contrôle canadiens.

## Définitions

Definitions

35. (1) In this Part,

"certificate" «certificat»

"certificate" means a certificate issued by the Minister under this Part:

Interpretation

cétat de »

"control status" "control status" means, with respect to a person, whether or not the person is Canadian controlled as determined under this Part and the regulations:

"direct equity percentage' «pourcentage

"direct equity percentage" means, with 35 respect to formal equity owned by a person in any particular person,

35. (1) Les définitions qui suivent s'appli- 20 Définitions quent à la présente partie.

30 «certificat» Le certificat délivré par le Ministre en vertu de la présente partie.

«certificat» "certificate"

Titre

«état de contrôle» Le fait pour une personne «état de d'être ou de ne pas être contrôlée par des 25 contrôle..." Canadiens comme le déterminent la présente partie et les règlements.

«investisseur» Relativement à un demandeur de certificat, la personne qui a un pourcen«investisseur» "investor"



(a) where the particular person does not have more than one class of formal equity within the meaning of the regulations, the percentage of the formal equity of the particular person that is 5 owned by the person, and

(b) where the particular person has more than one class of formal equity within the meaning of the regulations, subject to the regulations, the aggregate 10 fair market value of the formal equity of the particular person that is owned by the person, expressed as a percentage of the aggregate fair market value of all the formal equity of the particular 15 person;

«participation ordinaire»

"formal equity" "formal equity" means,

- (a) with respect to a corporation, any share of the corporation, other than a share excluded by the regulations, that 20 is, or is deemed under the regulations to be, issued and outstanding,
- (b) with respect to a partnership, any interest or right in the capital or income, or both, of the partnership,
- (c) with respect to a trust, any beneficial interest in the property of the trust,
- (d) with respect to any other person, such interest or right in respect of that 30 person as is prescribed;

"informal equity' «participation non ordinaire» "informal equity" means, subject to the regulations, any interest or right to participate in or benefit from, either currently or in the future, other than by way of formal 35 equity, the assets, revenues or business activities of another person;

"investor" \*investisseur

"investor" means, with respect to an applicant for a certificate, a person who has a that is greater than zero;

"Minister" «Ministre»

"Minister" means the Minister of Energy, Mines and Resources:

"owned" «posséder» "owned" means, subject to the regulations, beneficially owned, and the words "owner" 45 and "ownership" have corresponding meanings;

"person" «nersonne» "person" means an individual, a corporation, a partnership, a trust, a government, an tage de participation totale dans le demandeur supérieur à zéro.

«Ministre» Le ministre de l'Énergie, des Mines et des Ressources.

«participation non ordinaire» Sous réserve des règlements, toute participation ou droit qui permet ou permettra de bénéficier, autrement que par une participation ordinaire, de l'actif, des revenus ou de l'exploitation commerciale d'une autre 10 personne ou d'y participer.

«participation ordinaire» S'entend :

a) relativement à une société : de ses actions autres que celles qu'excluent les règlements, émises et en circulation ou 15 qui sont réputées l'être en vertu des règlements:

b) relativement à une société de personnes: d'une participation ou d'un droit dans le capital et dans le revenu du 20 capital ou dans l'un de ceux-ci;

c) relativement à une fiducie : de la propriété effective des biens de celle-ci;

d) relativement à toute autre personne : d'une participation ou d'un droit prévus 25 par les règlements.

«personne» Un particulier, une société, une société de personnes, une fiducie, un gouvernement, une agence gouvernementale, un fonds réservé au sens des règlements et 30 toute organisation considérée par les règlements comme une personne ou qui entre dans une catégorie d'organisations considérées par les règlements comme des personnes.

«posséder» Sous réserve des règlements, le fait d'avoir la propriété effective et les termes dérivés ont un sens correspondant;

total equity percentage in the applicant 40 «pourcentage de participation directe» S'entend relativement à la participation ordi-40 participation directe» naire que possède une personne dans une personne donnée:

> a) du pourcentage de cette participation, si cette personne n'a pas plus d'une catégorie de participation ordinaire au 45 sens des règlements;

b) sous réserve des règlements, du total de la juste valeur marchande de cette «Ministre» "Minister

5 «participation non ordinaire» "informal ...

> «participation ordinaire» "formal ..."

«personne» 'person'

«posséder» 'owned'

«pourcentage de "direct ..."



agency of government, a segregated fund within the meaning of the regulations and an organization that is prescribed as being a person or that falls into a class of organizations prescribed as being persons;

"prescribed" version anglaise seulement

"prescribed" means prescribed by the regulations, or with respect to the form and manner in which any application under this Act shall be filed or the information accompany that application, means prescribed by order of the Minister.

Definition of "non-eligible person'

- (2) For the purposes of this Part, the expression "non-eligible person" has the Foreign Investment Review Act and the regulations made pursuant to that Act, with such modifications as the circumstances require, except that, for the first five years after this Part comes into force,
  - (a) the definition "non-eligible person" in subsection 3(1) of that Act shall be read as if subparagraph (a)(ii) of that definition were deleted therefrom; and
  - (b) subsection 3(5) of that Act shall be 25 read as if the words "and permanent residents who have been ordinarily resident in Canada for more than one year after the time at which they first became eligible to apply for Canadian citizenship", wherever 30 those words appear therein, were deleted therefrom.

Trust property

(3) For greater certainty, for the purposes of this Part, a separate trust exists with held by a trustee under a trust instrument for the benefit of a person, group or class of persons, notwithstanding that under the same trust instrument different assets. efit of a different person, group or class of persons.

Total equity percentage

(4) For the purposes of this Part, the total equity percentage of a person in any particuthe aggregate of

participation exprimé en pourcentage du total de la juste valeur marchande de la totalité de la participation ordinaire de cette personne, si celle-ci a plus d'une catégorie de participation ordinaire au 5 sens des règlements.

Pour l'application de la présente partie, la facon de présenter une demande en vertu de la présente partie ou les renseignements ou and documentation to be contained in or to 10 les documents qu'elle doit contenir ou qui 10 doivent l'accompagner sont, par dérogation à toute disposition contraire, déterminés par arrêté du Ministre.

(2) Pour l'application de la présente partie, l'expression «personne non admissible» 15 «personne non same meaning as it has under section 3 of the 15 a la même signification que celle que prévoient l'article 3 de la Loi sur l'examen de l'investissement étranger et ses règlements d'application, compte tenu des adaptations de circonstance, sauf que, pour les cinq pre-20 20 mières années suivant l'entrée en vigueur de la présente partie :

a) la définition de «personne non admissible» au paragraphe 3(1) de cette loi doit être interprétée comme si le sous-alinéa 25 a)(ii) de cette définition en était retranché;

- b) le paragraphe 3(5) de cette loi doit être interprété comme si les mots «et autres que des résidents permanents qui ont résidé habituellement au Canada pendant plus 30 d'une année à compter de la date où ils sont devenus pour la première fois admissibles à demander la citoyenneté canadienne.» en étaient retranchés.
- (3) Pour plus de certitude, pour l'applica-35 Biens de la tion de la présente partie, une fiducie disrespect to all assets, investments or property 35 tincte existe à l'égard de tous les biens ou investissements détenus par un fiduciaire en vertu d'un contrat de fiducie pour le bénéfice d'une personne, d'un groupe ou d'une catégo-40 rie de personnes, nonobstant le fait qu'en investments or property are held for the ben-40 vertu du même contrat de fiducie des biens ou des investissements différents sont détenus pour le bénéfice de d'autres personnes ou de d'autres groupes ou catégories de personnes. 45
- (4) Pour l'application de la présente partie, le pourcentage de la participation lar person shall be obtained by calculating 45 totale d'une personne dans une personne donnée est le total obtenu en additionnant les pourcentages suivants:

Pourcentage de participation

Définition de

50



- (a) the person's direct equity percentage in respect of the particular person; and
- (b) the aggregate of the percentages each of which is the product obtained when the person's total equity percentage in respect 5 of any other person is multiplied by that other person's direct equity percentage in respect of the particular person.

Indirect equity percentage

(5) For the purposes of this Part, a person person") shall calculate the indirect equity percentage, in respect of an applicant, of any other person having a direct equity percentage in the first person by multiplying the in the first person by the aggregate of the percentages, each of which is the first person's direct equity percentage or indirect equity percentage in respect of the applicant.

Power of Minister

(6) For the purposes of this Part, where 20 the Minister is empowered to make a determination or redetermination in respect of the Canadian ownership rate of a person, that power shall include the power to adjust the Canadian ownership rate of the person on 25 de modifier le taux de participation canathe basis of informal equity to the extent that, in the opinion of the Minister, is appropriate in the circumstances.

Her Majesty

36. This Part is binding on Her Majesty in right of Canada and in right of any 30 chef du Canada ou du chef d'une province. province.

# Qualified Applicants

Who may apply

- 37. The following are qualified to apply for a certificate:
  - (a) an individual other than a non-eligible 35
  - (b) a corporation incorporated in Canada;
  - (c) a partnership, if the relationship among the partners as such is governed by the laws of a province;
  - (d) a trustee in respect of a trust, if the 40 trustee and beneficiaries are, with respect to their status as such, governed by the laws of a province;

- a) le pourcentage de participation directe d'une personne dans la personne donnée;
- b) la somme des pourcentages dont chacun représente le produit obtenu en multipliant le pourcentage de participation 5 totale d'une personne dans toute autre personne par le pourcentage de participation directe de cette autre personne dans la personne donnée.
- (5) Pour l'application de la présente 10 Pourcentage de participation (in this subsection referred to as "the first 10 partie, une personne (appelée, au présent indirecte paragraphe, «la première personne») calcule le pourcentage de participation indirecte, relativement à un demandeur, de toute autre personne qui bénéficie d'un pourcentage de 15 direct equity percentage of the other person 15 participation directe dans la première personne en multipliant ce pourcentage de participation directe par la somme des pourcentages, dont chacun représente le pourcentage de participation directe ou indirecte que la 20 première personne possède dans le deman-
  - (6) Pour l'application de la présente partie, le pouvoir donné au Ministre de faire une détermination ou une nouvelle détermi-25 nation à l'égard du taux de participation canadienne d'une personne comprend celui dienne de la personne en se basant sur la participation non ordinaire dans la mesure 30 où, de l'avis du Ministre, les circonstances le iustifient.

36. La présente partie lie Sa Majesté du

Sa Majesté est

# Demandeurs admissibles

37. Les personnes suivantes peuvent 35 Les personnes qui peuvent demander un certificat: faire la demande

a) un particulier autre qu'une personne non admissible;

- b) une société constituée au Canada:
- c) une société de personnes, si les rapports 40 des sociétaires entre eux sont régis par les lois d'une province;
- d) un fiduciaire relativement à une fiducie si celui-ci et les bénéficiaires sont ès qualités régis par les lois d'une province; 45

Pouvoir du Ministre



- (e) an insurance company incorporated in Canada in respect of any of its segregated funds within the meaning of the regulations; and
- (f) any person prescribed as being quali- 5 fied to apply for a certificate or who falls into a class of persons prescribed as being qualified to apply for a certificate.

### Canadian Ownership Rate and Control Status Determination

Applications

38. (1) Every application for a certificate scribed and shall contain or be accompanied by the information and documentation prescribed and, for the purposes of the application, the Canadian ownership rate and conaccordance with this Part and the regulations.

Control status

(2) Subject to any regulations made under paragraph 52(f) or (g), a person is Canadian person and is not Canadian controlled if that person is a non-eligible person.

Presumptions

- (3) For the purpose of determining whether a partnership or trust is a non-eligible person, the partnership or trust shall be 25 non admissible, elles sont assimilées à une deemed to be a corporation incorporated in Canada or elsewhere, and
  - (a) with respect to a partnership, the interests or rights in respect of its capital or income shall be deemed to be shares of the 30 corporation, the beneficial owners of those interests or rights shall be deemed to be shareholders of the corporation and, with respect to a limited partnership, any general partner shall be deemed to be a 35 member of the board of directors of the corporation; and
  - (b) with respect to a trust, the beneficial interests in the property of the trust shall be deemed to be shares of the corporation, 40 the owners of those beneficial interests shall be deemed to be shareholders of the corporation and the trustees shall be deemed to be members of the board of directors of the corporation.

- e) une compagnie d'assurance constituée au Canada relativement à un fonds réservé au sens des règlements:
- f) toute personne autorisée par les règlements à demander un certificat ou qui 5 entre dans une catégorie de personnes autorisées par les règlements à demander un certificat.

Détermination du taux de participation canadienne et de l'état de contrôle canadien

- 38. (1) Les demandes de certificat sont shall be filed in the form and manner pre-10 présentées selon les modalités réglementaires 10 et contiennent ou sont accompagnées des renseignements ou documents qu'exigent les règlements; pour les fins d'une demande, le taux de participation canadienne et l'état de trol status of a person shall be determined in 15 contrôle canadien d'une personne sont déter-15 minés conformément à la présente partie et aux règlements.
- État de contrôle (2) Sous réserve des règlements pris en vertu des alinéas 52f) ou g), une personne est controlled if that person is not a non-eligible 20 contrôlée par des Canadiens si elle n'est pas 20 une personne non admissible et elle n'est pas contrôlée par des Canadiens si elle est une personne non admissible.

Présomptions

Demandes

- (3) Afin de déterminer si une société de personnes ou une fiducie est une personne 25 société, constituée au Canada ou ailleurs, et :
  - a) dans le cas d'une société de personnes, la participation ou les droits dans son capital ou dans son revenu sont assimilés aux 30 actions de la société et leurs bénéficiaires sont assimilés aux actionnaires de la société; s'il s'agit d'une société en commandite, les commandités sont assimilés aux membres du conseil d'administration 35 de la société;
  - b) dans le cas d'une fiducie, la propriété effective des biens de la fiducie est assimilée aux actions de la société, les bénéficiaires de cette propriété sont assimilés aux 40 actionnaires de la société et les fiduciaires aux membres du conseil d'administration.



Determination by Minister under Foreign Investment Review Act

Idem

- (4) Where the Minister designated to act as the Minister for the purposes of the Foreign Investment Review Act has reached the opinion under subsection 4(1) of that Act that a person is not a non-eligible person within the meaning of that Act, that person shall, subject to the regulations, be deemed to be Canadian controlled for the purposes of this Part for as long as the opinion is binding on that Minister.
- (5) Where the Minister designated to act as the Minister for the purposes of the Foreign Investment Review Act has reached the opinion under subsection 4(1) of that Act that a person is a non-eligible person within 15 the meaning of that Act, or demands notice under subsection 8(3) of that Act from a person he believes to be a non-eligible person. that person shall, subject to subsection (6), the purposes of this Part for as long as the opinion under subsection 4(1) of that Act is binding on that Minister or the demand for notice under subsection 8(3) of that Act is any certificate issued in respect of that person shall, if necessary, be revised accord-
- (4) Lorsque le Ministre responsable de l'application de la Loi sur l'examen de l'investissement étranger est d'avis en application du paragraphe 4(1) de cette loi qu'une personne n'est pas une personne non admissible au sens de cette loi, cette personne est, sous réserve des règlements, réputée être contrôlée par des Canadiens pour l'application de la présente partie tant que le Ministre est 10 lié par cet avis.

La détermination du Ministre en vertu de la Loi sur l'examen de l'investissement 5 étranger

Idem

10

- (5) Lorsque le Ministre responsable de l'application de la Loi sur l'examen de l'investissement étranger est d'avis en application du paragraphe 4(1) de cette loi qu'une personne est non admissible au sens de cette 15 loi, ou met en demeure une personne qu'il croit non admissible, conformément au paragraphe 8(3) de cette loi, cette personne est, sous réserve du paragraphe (6), réputée ne be deemed not to be Canadian controlled for 20 pas être contrôlée par des Canadiens pour 20 l'application de la présente partie tant que le Ministre est lié par cet avis ou que la mise en demeure faite en vertu du paragraphe 8(3) de cette loi lie cette personne; si nécessaire, binding on the recipient of the notice, and 25 un certificat délivré à cette personne doit être 25 révisé.

Application

ingly.

(6) Subsection (5) does not apply where the opinion of the Minister referred to in that 30 dans le cas où le Ministre aurait été d'un subsection would have been otherwise, or where the demand for notice referred to in that subsection would not have been made, had the definition "non-eligible person" in the Foreign Investment Review Act been 35 vestissement étranger avait été interprétée en read in accordance with subsection 35(2) of this Part.

(6) Le paragraphe (5) ne s'applique pas autre avis ou dans le cas où la mise en demeure qui v est visée n'aurait pas été faite 30 si la définition de «personne non admissible» qui figure dans la Loi sur l'examen de l'inconformité avec le paragraphe 35(2) de la présente partie.

Domaine d'application

# Applications and Certificates

Acknowledgement of receipt of application

39. (1) Where the Minister is satisfied that an application for a certificate has been made by a person qualified to apply, has 40 un demandeur admissible, qu'elle a été prébeen filed in the form and manner prescribed and contains or is accompanied by the information and documentation prescribed, he shall send to the applicant, by personal delivery or registered mail, an acknowledgement 45 main propre ou par courrier recommandé, as to the date of receipt of the application by the Minister.

#### Demandes et certificats

39. (1) Lorsque le Ministre est convaincu qu'une demande de certificat a été faite par sentée selon les modalités réglementaires et qu'elle contient tous les renseignements et les 40 documents prévus par les règlements ou en est accompagnée, il envoie au demandeur, en une attestation de la date de réception de la demande.

Attestation de réception de la



validité du certificat.

Determination hy Minister

(2) The Minister shall examine each application for a certificate the receipt of which has been acknowledged under subsection (1) and any supplementary information or documentation provided pursuant to section 40 and shall, in accordance with this Part and the regulations, determine the Canadian ownership rate or the Canadian ownership rate and control status in respect of which a certificate was applied for.

Détermination (2) Le Ministre examine chaque demande par le Ministre de certificat qu'il a recue et dont il a donné attestation de la réception conformément au paragraphe (1), ainsi que tous les renseigne-5 ments et les documents complémentaires 5

fournis en vertu de l'article 40 et doit, en conformité avec la présente partie et les règlements, déterminer le taux de participation canadienne ou le taux de participation 10 canadienne et l'état de contrôle canadien 10 selon ce que vise la demande.

(3) Sous réserve du paragraphe (6) et de

l'attestation que vise le paragraphe (1), un 15

l'article 40, le Ministre délivre, dans les qua-

tre-vingt-dix jours de la date mentionnée à

participation canadienne ou le taux de participation canadienne et l'état de contrôle

canadien du demandeur, tels qu'ils sont

déterminés au paragraphe (2), et la durée de 20

Délivrance du certificat

Issue of certificate

Saving

(3) Subject to subsection (6) and section 40, the Minister shall, not later than ninety days after the acknowledged date of receipt of the application, issue a certificate to the applicant stating the Canadian ownership 15 certificat au demandeur indiquant le taux de rate or the Canadian ownership rate and control status of the applicant, as determined under subsection (2), and the effective period of the certificate.

(4) Nothing in this section prevents the 20 Minister, on application therefor, from issuing a certificate stating the control status of a person to whom there has been issued a certificate stating only his Canadian ownership rate, where the latter certificate is in 25 canadienne si au moment de la demande ce effect at the time the application is made.

(4) Le présent article n'empêche pas le Ministre de délivrer, sur demande, un certificat indiquant l'état de contrôle canadien d'une personne qui détient un certificat indi-25 quant seulement son taux de participation dernier certificat est en vigueur.

Réserve

Statement of reconciliation

(5) Where the Canadian ownership rate stated in a certificate differs from that submitted with the application for the certificate, the Minister shall provide the applicant 30 cat est différent de celui qui a été présenté with a statement of reconciliation.

Rapport de (5) Le Ministre doit fournir un rapport de conciliation au demandeur lorsque le taux de 30 conciliation participation canadienne indiqué au certifiavec la demande.

Extension of period for issuing certificate

(6) The Minister may extend the ninety day period for issuing a certificate under subsection (3) in respect of any application in the first year after this Part comes into force.

(6) Le Ministre peut prolonger le délai de quatre-vingt-dix jours pour délivrer un certi-35 ficat en conformité avec le paragraphe (3) à or class of applications for a certificate filed 351'égard des demandes ou catégories de demandes de certificat présentées dans la première année de l'entrée en vigueur de la 40 présente partie.

Supplementary information and documentation

Where the Minister, after acknowledging receipt of an application for a certificate, is unable to determine the 40 demande de certificat, est incapable de déter-Canadian ownership rate or control status of the applicant or make any other relevant determination, he shall, as often as is required, give notice to the applicant in writrequesting any supplementary information or

40. (1) Lorsque le Ministre, après avoir donné attestation de la réception d'une miner le taux de participation canadienne ou l'état de contrôle canadien du demandeur ou 45 toute autre détermination pertinente, il avise par écrit le demandeur, aussi souvent que ing, by personal delivery or registered mail, 45 nécessaire, en main propre ou par courrier recommandé, et lui demande les renseigne-

Renseignements et documents complémentai-

Prolongation du

délai pour

délivrer un

certificat



Suspension du

délai pour

délivrer un

certificat

documentation that the Minister considers necessary in order to enable him to make the determination.

Suspension of period for issuing certificate

- (2) Where supplementary information or documentation is requested by notice in writing under subsection (1) or an audit or examination is begun after notice in writing under section 47, the period for issuing a certificate ceases to run from the giving of day the Minister receives all the supplementary information and documentation requested or the day the audit or examination is completed, as the case may be, and continues greater of
  - (a) thirty days; and
  - (b) the balance of the period for issuing a certificate that remained on the giving of the relevant notice.

Currency of information and documentation

41. All information and documentation relating to the Canadian ownership rate on which an application for a certificate is based shall, subject to such exemptions as the Mindays determined in the manner prescribed.

Effective period of certificate

42. (1) A certificate is effective as of the acknowledged date of receipt of the application for it and, subject to subsections (2) and of twelve months from that date or for such longer period or periods, not exceeding twenty-four months from that date, as may be prescribed in respect of such classes of persons as are prescribed.

Additional effective period

(2) The Minister may, in the manner prescribed, allocate among any persons or classes thereof to whom certificates are to be issued effective for the period referred to in not exceeding six months.

Other effective neriods

- (3) The Minister may
- (a) on request by an applicant for a certificate, issue a certificate effective for a

ments et les documents complémentaires qu'il juge nécessaires pour faire cette détermination.

(2) Lorsque des renseignements ou des 5 documents complémentaires sont demandés par écrit, conformément au paragraphe (1) ou qu'une vérification ou un examen est commencé après l'envoi de l'avis écrit prévu à l'article 47, le délai pour délivrer un certifithe relevant notice, resumes running on the 10 cat cesse de courir à compter de la date de 10 l'envoi de l'avis pertinent, recommence à courir à compter de la date à laquelle le Ministre recoit les renseignements et les documents complémentaires demandés ou de to run for a period after that day that is the 15 la date à laquelle la vérification ou l'examen 15 est complété, selon le cas, et continue à courir après cette date pour le plus long des deux délais suivants :

- a) trente jours:
- 20 b) le délai pour délivrer un certificat qui 20 reste à courir à la date de l'avis pertinent.
- 41. Tous les renseignements et les documents concernant le taux de participation canadienne sur lesquels une demande de certificat est fondée ne doivent pas être anté-25 ister may allow, be current as of a day or 25 rieurs à la date ou aux dates déterminées de la façon prévue aux règlements, sous réserve des exceptions que le Ministre peut prévoir.

Actualité des renseignements et documents

- 42. (1) Un certificat est valide à compter de la date mentionnée à l'attestation que vise 30 certificat le paragraphe 39(1) et, sous réserve des (3), it continues to be effective for a period 30 paragraphes (2) et (3), continue de l'être pendant une période de douze mois à compter de cette date ou pour toute période plus longue d'au plus vingt-quatre mois à compter 35 de cette date, selon que le prévoient les règle-35 ments, dans le cas de certaines catégories de personnes prévues aux règlements.
- (2) Le Ministre peut accorder, conformément aux règlements, une période supplé-40 supplémentaires mentaire de validité d'au plus six mois à toutes les personnes ou catégories de personsubsection (1) an additional effective period 40 nes auxquelles des certificats doivent être délivrés pour la période visée au paragraphe

(3) Le Ministre peut :

a) à la demande d'un demandeur, délivrer un certificat valide pendant une période

Autres périodes de validité



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period less than the effective period under subsection (1) or (2); and

(b) on request by a person to whom a certificate was issued, reduce the effective period of the certificate and revise the 5 certificate accordingly.

New certificate

(4) Where the holder of a current certificate has, in substantial compliance with this Part and the regulations, applied for a new certificate prior to the expiration of the cur-10 nouveau d'une façon qui respecte les condirent certificate, the Minister may issue a new certificate effective as of the day the current certificate expires.

New or amended application

- 43. (1) The holder of an effective certificate shall, in the form and manner pre-15 doit présenter, selon les modalités réglemen-15 demande ou scribed, file a new application for a certificate or amend his original application where
  - (a) the certificate shows the holder to be Canadian controlled and he has ceased to be Canadian controlled:
  - (b) the Canadian ownership rate of the holder has decreased from that stated in the certificate in the circumstances prescribed by more than the prescribed number of percentage points;
  - (c) the holder knows or ought to know that the certificate was issued on the basis of an erroneous determination or false or misleading information;
  - (d) the holder knows or ought to know 30 that any provision of an agreement, arrangement or undertaking that was submitted with the application for the certificate was breached or was not fully 35 observed: or
  - (e) the Minister, by notice in writing to the holder delivered personally or sent by registered mail, requires the application or amendment to be made where he has reasonable and probable grounds for 40 believing that
    - (i) paragraph (a) or (b) applies,
    - (ii) the certificate was issued on the basis of an erroneous determination or false or misleading information, or
    - (iii) any provision of an agreement. arrangement or undertaking that was submitted with the application for the

- inférieure à celle prévue au paragraphe (1) ou (2);
- b) réduire la durée de validité du certificat et le réviser en conséquence, à la demande du titulaire.
- (4) Dans le cas où le titulaire d'un certificat actuel, avant que la date d'expiration de ce dernier ne soit atteinte, en demande un tions essentielles de la présente partie et des 10 règlements, le Ministre peut délivrer un nouveau certificat en vigueur à partir de la date d'expiration du certificat actuel.

Prolongation de la durée de validité Nouveau certificat

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43. (1) Le titulaire d'un certificat valide taires, une nouvelle demande de certificat ou modifier sa demande originale dans les cas

Nouvelle modifiée

- a) le certificat indique que le titulaire est contrôlé par des Canadiens et celui-ci a 20 cessé de l'être:
- b) le taux de participation canadienne du titulaire, tel qu'indiqué au certificat, a diminué dans les circonstances prévues aux règlements de plus que le pourcentage 25 réglementaire:
- c) le titulaire sait ou devrait savoir que le certificat a été délivré à la suite d'une détermination erronée ou de renseignements faux ou trompeurs;
- d) le titulaire sait ou devrait savoir qu'il y a eu manquement à une disposition d'une entente, d'un arrangement ou d'un engagement présenté avec la demande de certificat ou qu'une de leurs dispositions n'a pas 35 été entièrement respectée;
- e) le Ministre exige, au moyen d'un avis écrit envoyé au titulaire en main propre ou par courrier recommandé, que la demande ou la modification soit présentée lorsqu'il a 40 des motifs sérieux et plausibles de croire :
  - (i) que l'alinéa a) ou b) s'applique,
  - (ii) que le certificat a été délivré à la suite d'une détermination erronée ou de renseignements faux ou trompeurs,
  - (iii) qu'il y a eu manquement à une disposition d'une entente, d'un arrangement ou d'un engagement présenté avec



certificate was breached or was not fully observed.

Failure to comply

(2) Where the holder of a certificate fails to comply with paragraph (1)(e) within thirty days after receipt of a notice sent by the Minister pursuant to that paragraph, or within such longer period as the Minister may reasonably allow, the certificate shall cease to be effective as of the day on which, described in paragraph (1)(a) or (b) or subparagraph (1)(e)(ii) or (iii) occurred.

Application may be filed

(3) The holder of an effective certificate may, in the form and manner prescribed, file a new application for a certificate or amend 1 his original application where, in the holder's opinion, his Canadian ownership rate has increased or he has become Canadian controlled.

Certificate issued pursuant to a new application

- (4) Sections 39 to 42 apply, with such 20 modifications as the circumstances require, with respect to a new application for a certificate filed pursuant to subsection (1) or (3) and with respect to a certificate issued pursuant to that application, except that the 25 que le certificat est valide à compter : certificate shall be effective
  - (a) with respect to a new application filed pursuant to paragraph (1)(a) or (b) or subparagraph (1)(e)(i), as of the day that the relevant change in Canadian owner-30 ship rate or control status occurred:
  - (b) with respect to a new application filed pursuant to paragraph (1)(c) or (d) or subparagraph (1)(e)(ii) or (iii), as of the day the current certificate became effec-35 tive: or
  - (c) with respect to a new application filed pursuant to subsection (3), as of the day that the relevant change in Canadian ownership rate or control status occurred, and 40 shall continue to be effective until the day the current certificate would, but for subsection (6), have ceased to be effective.

Certificate issued pursuant to an amended application

(5) Sections 39 and 40 apply, with such modifications as the circumstances require, 45 compte tenu des adaptations de circonstance, with respect to an amended application for a

la demande de certificat ou qu'une de leurs dispositions n'a pas été entièrement respectée.

(2) Lorsque le titulaire d'un certificat ne se conforme pas à l'alinéa (1)e) dans les 5 trente jours de la réception d'un avis que le Ministre envoie en vertu de cet alinéa, ou dans un délai plus long que le Ministre peut accorder, le certificat cesse d'être valide à la date à laquelle, de l'avis du Ministre, l'événe-10 in the opinion of the Minister, the event 10 ment que vise l'alinéa (1)a) ou b) ou le sous-alinéa (1)e)(ii) ou (iii) s'est produit.

Défaut de se 5 conformer

(3) Le titulaire d'un certificat valide peut, selon les modalités réglementaires, présenter 5 une nouvelle demande de certificat ou modi- 15 fier sa demande originale lorsqu'il est d'avis que son taux de participation canadienne a augmenté ou qu'il devient contrôlé par des Canadiens.

La demande peut être présentée

(4) Les articles 39 à 42 s'appliquent, 20 Certificat compte tenu des adaptations de circonstance, à une nouvelle demande de certificat présentée conformément au paragraphe (1) ou (3) et au certificat délivré en conséquence, sauf

délivré à la suite d'une nouvelle demande

- a) dans le cas d'une nouvelle demande présentée en vertu de l'alinéa (1)a) ou b) ou du sous-alinéa (1)e)(i), de la date à laquelle le changement pertinent concernant le taux de participation canadienne 30 ou l'état de contrôle canadien s'est produit;
- b) dans le cas d'une nouvelle demande présentée en vertu de l'alinéa (1)c) ou d) ou du sous-alinéa (1)e)(ii) ou (iii), de la date à laquelle le certificat actuel est 35 devenu valide:
- c) dans le cas d'une nouvelle demande présentée en vertu du paragraphe (3), de la date à laquelle le changement pertinent concernant le taux de participation cana-40 dienne ou l'état de contrôle canadien s'est produit; il continue alors d'être valide jusqu'à la date à laquelle le certificat actuel aurait cessé de l'être si ce n'était du para-45 graphe (6).
- (5) Les articles 39 et 40 s'appliquent, à une demande de certificat modifiée présen-

Certificat délivré en conséquence d'une demande modifiée



paragraphe (6).

certificate filed pursuant to subsection (1) or (3) and with respect to a certificate issued pursuant to that amended application, and the certificate shall be effective as of the day set out in paragraph (4)(a), (b) or (c), as the case may be, and shall continue to be effective until the day the current certificate would, but for subsection (6), have ceased to he effective

Current certificate

(6) On the issue of a certificate to a person 10 pursuant to a new or amended application under this section, any current certificate of that person ceases to be effective as of the day the certificate so issued is effective.

article.

(6) Lorsqu'un certificat est délivré à une personne à la suite d'une nouvelle demande 10 d'être en ou d'une demande modifiée, présentée en vertu du présent article, tout certificat actuel dont cette personne est titulaire cesse d'être valide à compter de la date à laquelle le certificat qui a été délivré entre en vigueur.

tée en vertu du paragraphe (1) ou (3) et à un

certificat délivré en conséquence de cette

demande modifiée, et le certificat est valide à

compter de la date établie à l'alinéa (4)a), b)

5 ou c), selon le cas, et continue de l'être 5

jusqu'à la date à laquelle le certificat actuel

aurait cessé d'être valide si ce n'était du

Definition of "current certificate"

(7) In this section, "current certificate" 15 means any certificate that is in effect on the issue of a certificate pursuant to a new or amended application under this section.

(7) Dans le présent article, «certificat Définition de «certificat actuel» désigne le certificat qui est en vigueur actuel» au moment de la délivrance d'un autre certificat à la suite d'une nouvelle demande ou

Redetermination by Minister

44. (1) The Minister may, at any time, for an ownership rate or control status or both of a person to whom a certificate that is no longer in effect was issued where the Canadian ownership rate or control status or both of certificate by reason of any of the circumstances set out in paragraph 43(1)(a) or (b), subparagraph 43(1)(e)(ii) or (iii), subsection 45(4) or subsection 48(3), (4) or (6).

44. (1) Le Ministre peut, pour une période détermination any relevant period, redetermine the Canadi-20 donnée, déterminer de nouveau le taux de par le Ministre participation canadienne et l'état de contrôle canadien ou l'un des deux, d'une personne 25 titulaire d'un certificat périmé, lorsque le taux de participation canadienne et l'état de that person differed from that stated in the 25 contrôle canadien ou l'un des deux de cette personne étaient différents de ceux indiqués au certificat à cause d'une des circonstances 30 visées à l'alinéa 43(1)a) ou b), au sous-alinéa

43(1)e)(ii) ou (iii), au paragraphe 45(4) ou

au paragraphe 48(3), (4) ou (6).

d'une demande modifiée en vertu du présent 20

Notice

(2) On making a redetermination under 30 subsection (1), the Minister shall give notice thereof by personal delivery or registered mail to the person to whom the certificate referred to in that subsection was issued.

(2) Le Ministre donne un avis de la nouvelle détermination qu'il fait en vertu du 35 paragraphe (1), en main propre ou par courrier recommandé, au titulaire visé dans ce paragraphe.

Avoiding or mitigating uniust result

**45.** (1) Where, in respect of any person 35 whose Canadian ownership rate is relevant to an application for a certificate or to whom a certificate currently in effect has been issued, the Minister is of the opinion that due to exceptional circumstances the determination 40 circonstances spéciales, la détermination du of the Canadian ownership rate of that person in accordance with this Part and the regulations would produce or has produced a result that is manifestly unjust to that person

45. (1) Lorsque, relativement à une personne dont le taux de participation cana-40 ces injustes sont dienne est pertinent à une demande de certificat ou à qui un certificat en vigueur a été délivré, le Ministre est d'avis que, à cause de taux de participation canadienne de cette 45 personne en conformité avec la présente partie et les règlements produirait ou a produit des conséquences manifestement injustes

Les conséquenmitigées

Le certificat

actuel cesse

Nouvelle



in any case, he may, at any time, on his own initiative and without any notice or hearing. make or remake the determination in such manner as, in his opinion, will, as equitably as possible, avoid or mitigate that result, and that determination or redetermination shall be binding on all persons for the purposes of this Part

New certificate to be issued

(2) Where the Minister makes a determisection (1), he shall issue a certificate or new certificate accordingly, stating the Canadian ownership rate or the Canadian ownership rate and control status of the applicant, and the effective period of the certificate.

Effective period

(3) A certificate issued pursuant to subsection (2) shall be effective for the period provided by section 42.

Redetermination where this Part and the regulations not complied with

(4) Notwithstanding anything in this Part. Canadian ownership rate or control status stated in a certificate was not determined in accordance with this Part and the regulations to the prejudice of the person to whom the redetermine the Canadian ownership rate or control status in accordance with this Part and the regulations and issue a new certificate accordingly.

Idem

(5) A new certificate issued pursuant to 30 subsection (2) or (4) shall replace any certificate in effect on its issue, shall be effective as of the day the certificate so replaced became effective and shall continue to be effective until the day the certificate so 35 de l'être jusqu'à la date à laquelle le certifireplaced would, but for this section, have ceased to be effective.

Special status person

(6) The Governor in Council may, by order, declare any person to have a special status and, where such a declaration is made, 40 spécial et, une fois cette déclaration faite, that person shall be deemed to have a Canadian ownership rate of one hundred per cent.

envers cette personne, il peut de sa propre initiative et sans avis ou audition, faire ou refaire la détermination de manière, à son avis, à éviter ou à mitiger ces conséquences 5 aussi équitablement que possible; cette déter- 5 mination ou nouvelle détermination lie toutes les personnes pour l'application de la présente partie.

(2) Lorsque le Ministre fait une détermination or redetermination pursuant to sub-10 nation ou nouvelle détermination conformé- 10 nouveau nation or redetermination conformé- 10 certificat ment au paragraphe (1), il délivre en conséquence un certificat ou un nouveau certificat indiquant le taux de participation canadienne ou le taux de participation canadienne et 151'état de contrôle canadien, et la durée de 15 validité du certificat.

Délivrance d'un

(3) Le certificat délivré conformément au paragraphe (2) est valide pour la période prévue par l'article 42.

Durée de validité

(4) Par dérogation à la présente partie, le 20 Nouvelle détermination where the Minister is of the opinion that the 20 Ministre doit déterminer à nouveau le taux en cas de non de participation canadienne ou l'état de conrespect de la présente partie trôle canadien conformément à la présente partie et aux règlements et délivrer un nourèglements veau certificat en conséquence, s'il est d'avis 25 certificate was issued, the Minister shall 25 que le taux de participation canadienne ou l'état de contrôle canadien indiqué au certificat n'ont pas été déterminé en conformité avec la présente partie et les règlements et que cela a causé un préjudice au titulaire du 30 certificat.

> (5) Le nouveau certificat délivré en vertu Idem du paragraphe (2) ou (4) remplace tout certificat en vigueur à sa délivrance, est valide à compter de la date à laquelle le certificat 35 ainsi remplacé est devenu valide et continue cat ainsi remplacé aurait cessé d'être valide si ce n'était du présent article.

(6) Le gouverneur en conseil peut, par 40 Statut spécial décret, déclarer qu'une personne a un statut cette personne est présumée avoir un taux de participation canadienne égal à cent pour

Administration

#### Mesures administratives

Keeping records

**46.** (1) Every person to whom a certificate has been issued shall keep documents, 45 conserver les documents, les dossiers et les

46. (1) Tout titulaire de certificat doit

Conservations des dossiers



records and books of account at his place of business or other prescribed place in Canada in such form and containing such information as will enable the Minister to verify that the person is qualified to apply for a certificate, to verify the Canadian ownership rate or control status of the person and to verify the accuracy and completeness of the information and documentation submitted to the Minister in respect of the person.

Disposal of records

(2) Every person required by subsection (1) to keep documents, records and books of account shall retain them until the expiration of six years from the day the relevant otherwise authorized by the Minister.

Audit or examination

47. (1) At any time after an application for a certificate has been filed, the Minister may, on giving notice in writing to the applicant, conduct audits or examinations of the 20 der à la vérification ou à l'examen des relevant documents, records and books of account of the applicant to verify that the applicant is qualified to apply for a certificate, to verify the Canadian ownership rate or control status of the applicant and to 25 trôle canadien du demandeur et pour vérifier verify the accuracy and completeness of the information and documentation submitted to the Minister in respect of the applicant.

Records to be made available

(2) Documents, records and books of account required to be kept by or under this 30 à procéder à la vérification ou à l'examen Part shall, for the purpose of audit or examination, be made available at all reasonable times to any person authorized by the Minister for the purpose.

Assisting authorized persons

(3) Every applicant for a certificate shall, 35 for the purpose of an audit or examination under this Part, give all reasonable assistance to any person authorized by the Minister to carry out the audit or examination, provide access to all relevant sites, answer, orally or 40 nable requise à cette fin ainsi que l'accès aux in writing, as required, all questions relating to the audit or examination and provide all information and documentation in his possession and all copies required for the purposes of the audit or examination.

Non-compliance

(4) Where an applicant for a certificate refuses without reasonable cause to submit to

livres de comptabilité à son établissement ou en un autre lieu au Canada prévu par les règlements, de telle manière et avec les renseignements nécessaires pour permettre au 5 Ministre de vérifier si le titulaire est un 5 demandeur admissible, de vérifier le taux de participation canadienne ou l'état de contrôle canadien du titulaire et de vérifier l'exactitude et l'intégralité des renseignements et des 10 documents fournis au Ministre à l'égard du 10 titulaire.

(2) Sauf permission du Ministre, aucun document, dossier et livre de comptabilité qui doit être conservé en application du paragraphe (1) ne peut être détruit avant l'expiration 15 application for a certificate was filed, unless 15 de six ans à compter de la date de présentation de la demande de ce certificat.

Destruction des

47. (1) Le Ministre peut, après la présen-Vérification ou tation d'une demande de certificat, en donnant par écrit un avis au demandeur, procé-20 documents, dossiers et livres de comptabilité pertinents du demandeur pour vérifier si ce dernier est admissible, pour vérifier le taux de participation canadienne ou l'état de con-25 l'exactitude et l'intégralité des renseignements et des documents fournis au Ministre à l'égard du demandeur.

(2) Les personnes que le Ministre autorise 30 Consultation des dossiers peuvent, en temps convenable, consulter les documents, dossiers et livres de comptabilité dont la tenue est requise sous le régime de la présente partie.

(3) Tout demandeur de certificat doit, dans le cadre des vérifications ou examens effectués en vertu de la présente partie, donner aux personnes autorisées par le Ministre à les effectuer, l'assistance raison-40 lieux appropriés, répondre aux questions pertinentes, oralement ou par écrit selon la demande qui lui en est faite, et fournir tous renseignements et documents utiles en sa 45 45 possession de même que les doubles qui sont nécessaires à l'examen ou à la vérification.

(4) Lorsqu'un demandeur de certificat refuse sans raison valable de se soumettre à Inobservance

Aide aux

personnes

autorisées



an audit or examination under this section or refuses or knowingly fails to comply with any other requirement of this section, the Minister may

- (a) refuse to issue a certificate to the 5 applicant:
- (b) by notice in writing delivered personally or sent by registered mail, revoke the applicant's certificate effective as of the 10 day specified in the notice; and
- (c) deem the Canadian ownership rate of the applicant to be nil or deem the applicant not to be Canadian controlled for any period prior to the date of the refusal or failure to comply during which any certifi- 15 cate issued to the applicant was effective.

Presumption

(5) Where the Minister revokes a certificate pursuant to subsection (4), the Canadian ownership rate of the applicant shall be date of the revocation during which that or any other certificate issued to the applicant was effective.

Definition of "applicant"

(6) In this section, "applicant" includes a person to whom a certificate has been issued 25 s'entend en outre d'un titulaire. pursuant to an application.

Consent of investor or nominee to audit or examination

Idem

- 48. (1) Every applicant for a certificate shall, in the form and manner prescribed, provide the Minister with a consent of
  - (a) any investor having a direct equity 30 percentage in respect of the applicant of one per cent or more, or any nominee of the investor, or
  - (b) any investor having a total equity percentage in respect of the applicant of five 35 per cent or more, or any nominee of the investor,

whereby the investor, or nominee on behalf of the investor, consents and undertakes to submit to audit or examination of such of the 40 cation ou examen leurs documents, dossiers documents, records and books of account of the investor or nominee or both as relate to the Canadian ownership rate of the applicant, and to give all reasonable assistance for that purpose to any person authorized by the 45 Minister for the purpose.

(2) Every applicant for a certificate shall. in the form and manner prescribed, provide the Minister with a consent of any prescribed

une vérification ou à un examen prévu au présent article ou refuse ou sciemment omet de se conformer à toute autre exigence du présent article, le Ministre peut :

a) refuser de lui délivrer un certificat;

b) par un avis écrit remis en main propre ou envoyé par courrier recommandé, révoquer son certificat à compter de la date visée dans l'avis:

- c) présumer que le taux de participation 10 canadienne du demandeur était nul ou que le demandeur n'était pas contrôlé par des Canadiens pendant toute période antérieure à la date du refus ou du défaut d'obtempérer durant laquelle un certificat 15 délivré au demandeur était valide.
- (5) Lorsque le Ministre révoque un certificat en application du paragraphe (4), le taux de participation canadienne du demandeur deemed to be nil for any period prior to the 20 est réputé être nul pour toute période anté-20 rieure à la date de révocation au cours de laquelle ce certificat ou tout autre certificat délivré au demandeur était valide.

Définition de (6) Dans le présent article, «demandeur» 25 «demandeur»

Présomption

48. (1) Tout demandeur de certificat doit faire parvenir au Ministre, selon les modalités réglementaires, le consentement :

a) de tout investisseur qui a au moins un pour cent de participation directe à l'égard 30 ou à l'examen du demandeur, ou de la personne désignée par l'investisseur:

b) de tout investisseur qui a au moins cinq pour cent de participation totale à l'égard du demandeur, ou de la personne désignée 35 par l'investisseur,

par lequel l'investisseur ou la personne désignée par lui s'engage à présenter pour vérifiet livres de comptabilité concernant le taux 40 de participation canadienne du demandeur et à apporter toute l'aide nécessaire à cette fin à la personne autorisée par le Ministre.

(2) Tout demandeur de certificat doit. selon les modalités réglementaires, fournir au 45 Ministre le consentement de toute personne

Consentement de l'investisseur ou de la personne désignée par lui à la vérification



person or nominee of the prescribed person whereby the prescribed person, or nominee on behalf of the prescribed person, consents and undertakes to submit to audit or examibooks of account of the prescribed person or nominee or both as relate to the control status of the applicant, and to give all reasonable assistance for that purpose to any person authorized by the Minister for the 10 purpose.

prévue au règlement ou de la personne désignée par elle par lequel l'une ou l'autre s'engage à présenter pour vérification ou examen leurs documents, dossiers et livres de nation of such of the documents, records and 5 comptabilité concernant l'état de contrôle du 5 demandeur et à apporter toute l'aide nécessaire à cette fin à la personne autorisée par le Ministre

Where consent not provided or complied with

- (3) Where an applicant for a certificate fails to provide a consent required under subsection (1) or an investor, or nominee on consent so provided, the Canadian ownership rate of the investor shall, for the purposes of the application or any certificate issued pursuant to the application, be deemed to be nil.
- (3) Lorsqu'un demandeur néglige de donner le consentement qu'exige le paragra- 10 n'est pas donné phe (1) ou lorsqu'un investisseur ou la perbehalf of an investor, fails to comply with a 15 sonne désignée par lui ne se conforme pas au consentement donné, le taux de participation canadienne de l'investisseur est réputé être nul aux fins de la demande ou de tout certifi- 15 cat délivré en conséquence.

(4) La personne prévue au règlement men-

tionnée au paragraphe (2) est réputée non

admissible dans les cas où le demandeur d'un

qu'exige ce paragraphe ou si elle-même ou la

pas à son engagement.

certificat ne fournit pas le consentement 20

Idem

(4) Where an applicant for a certificate 20 fails to provide a consent required under subsection (2) or a prescribed person, or nominee on behalf of a prescribed person, fails to comply with a consent so provided, the prescribed person shall, for the purposes 25 personne désignée par elle ne se conforme of the application or any certificate issued pursuant to the application, be deemed to be a non-eligible person.

the form and manner prescribed, it shall, for

the purposes of any application for a certifi-

cate, be deemed to be nil, and where the

control status of a prescribed person is not

manner prescribed, that prescribed person

shall, for the purposes of any application for a certificate, be deemed to be a non-eligible Idem

Cas où le

ou n'est pas

respecté

- (5) Where the Canadian ownership rate of
- (5) Le taux de participation canadienne an investor is not determined and certified in 30 est présumé nul pour les fins d'une demande 25 de certificat, dans les cas où il n'est pas déterminé et certifié de façon réglementaire et une personne prévue aux règlements est réputée non admissible pour les mêmes fins si determined and certified in the form and 35 son état de contrôle n'est pas déterminé et 30 certifié de facon réglementaire.

Canadian ownership rate or contro status not determined and

person.

Where

Where

etc., not submitted on

demand

prescribed

information.

- (6) Where an applicant for a certificate or 40 a person to whom a certificate has been issued fails to provide the Minister, on demand, with any prescribed form, information, documentation or certification relevant to the determination of the Canadian owner-45 certificat néglige de fournir au Ministre qui ship rate of an investor, that Canadian ownership rate shall, for the purposes of the application or any certificate issued pursuant thereto, be deemed to be nil.
  - (6) Le taux de participation canadienne d'un investisseur est présumé nul aux fins d'une demande de certificat ou d'un certificat délivré à la suite de cette demande dans 35 les cas où le demandeur ou le titulaire de le lui a demandé les formulaires réglementaires, les renseignements, les documents et certificats utiles à la détermination de ce taux.

Défaut de fournir les renseignements demandés

Détermination non réglemen-

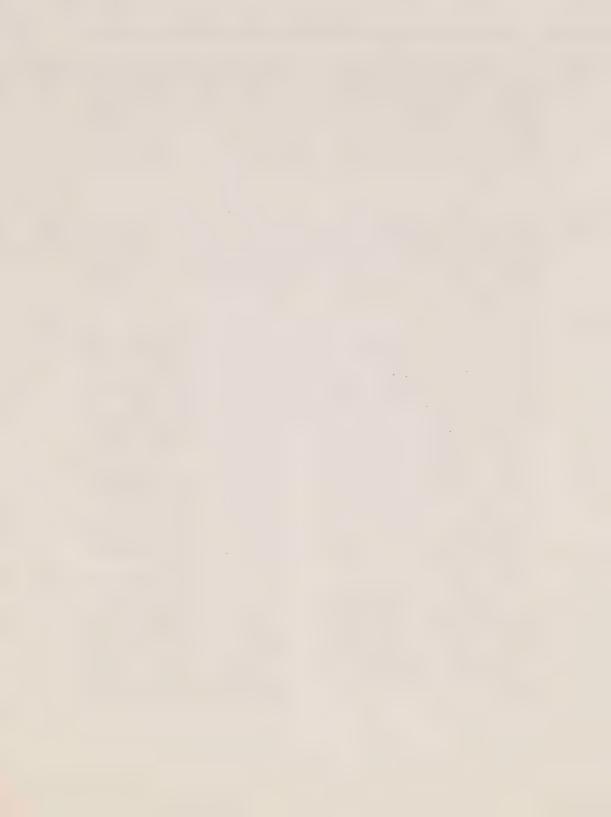
taire du taux de

participation

de l'état de

contrôle

canadienne ou



Exemption where Her Majesty is an investor

(7) Notwithstanding anything in this section, the Minister may exempt an applicant for a certificate from the application of this section or any provision thereof in respect of any investor that is Her Majesty in right of Canada or a province or an entity all or substantially all of the formal equity or assets of which are owned, directly or indirectly, by Her Majesty in right of Canada or a province.

## Disclosure of Information

Privileged information and documentation

49. Information or documentation obtained by the Minister under this Part or by a person or agency referred to in paragraphs 50(1)(a) to (e) is privileged and shall not municated, disclosed or made available without the written consent of the person from whom it was obtained.

Exceptions

- 50. (1) Information or documentation municated, disclosed or made available for the purposes of the administration or enforcement of this Part, legal proceedings related thereto or criminal proceedings under an Act of Parliament and may be com-25 de plus, ils peuvent être communiqués : municated, disclosed or made available
  - (a) to the Minister of Finance solely for the purposes of evaluating and formulating tax policy in relation to energy matters;
  - (b) to the Minister designated to act as 30 the Minister for the purposes of the Foreign Investment Review Act for any purpose relating to the administration or enforcement of this Part or that Act:
  - (c) to the Minister under the Canadian 35 and British Insurance Companies Act for any purpose relating to the administration or enforcement of this Part:
  - (d) to any agency established under an Act of Parliament to which the Minister 40 is, by such Act, required to make available statistics, information and documentation obtained by the Minister under such Act that relate to energy enterprises or corporations that control energy enterprises; and 45
  - (e) to any person referred to in paragraph 32(b) of the Petroleum Incentives Program Act.

(7) Par dérogation au présent article, le Ministre peut exempter un demandeur de certificat de l'application du présent article ou de l'une de ses dispositions à l'égard d'un 5 investisseur qui est Sa Majesté du chef du 5 Canada ou d'une province ou un entité dont Sa Majesté du chef du Canada ou d'une province possède, directement ou indirectement, la totalité ou une partie importante de 101'actif ou de la participation ordinaire.

Exemption en Maiesté

#### Communication de renseignements

49. Les renseignements et les documents obtenus par le Ministre dans le cadre de la présente partie ou par les personnes ou agences visées aux alinéas 50(1)a) à e) sont protéknowingly be or be permitted to be com-15 gés. Nul ne peut, sciemment, les communi-15 quer ou les laisser communiquer sauf sur autorisation écrite de la personne dont ils proviennent.

Renseigne documents protégés

50. (1) Les renseignements et les docuobtained under this Part may be com-20 ments obtenus en vertu de la présente partie 20 peuvent être communiqués dans le cadre de l'application de la présente partie, ou des instances qui en découlent ou des poursuites criminelles prévues par une loi du Parlement;

a) au ministre des Finances mais uniquement en vue de l'évaluation et de la formulation de la politique fiscale en matière d'énergie:

- b) au Ministre responsable de l'applica-30 tion de la Loi sur l'examen de l'investissement étranger pour l'application de la présente partie ou de cette loi;
- c) au Ministre responsable de l'application de la Loi sur les compagnies d'assurance 35 canadiennes et britanniques pour l'application de la présente partie;
- d) à une agence constituée en vertu d'une loi du Parlement laquelle exige que le Ministre mette à la disposition de cette 40 agence les statistiques, renseignements et documents relatifs à des entreprises énergétiques ou à des sociétés qui contrôlent des entreprises énergétiques et qu'il obtient dans le cadre de cette loi:
- e) à une personne visée à l'alinéa 32b) de la Loi sur le programme d'encouragement du secteur pétrolier.

Exceptions



32

Idem

(2) The Minister may communicate, disclose or make available the names. Canadian ownership rates and control status of persons to whom certificates have been issued.

(2) Le Ministre peut divulguer le nom, le taux de participation canadienne et l'état de contrôle canadien des titulaires de certificat.

Idem

Evidentiary privilege

51. Notwithstanding any other Act or 5 law, no person who obtains information or documentation under this Part shall be required, in connection with any legal proceedings, other than proceedings relating to Part or criminal proceedings under an Act of Parliament, to give evidence relating to any information or documentation that is privileged under this Part or to produce any thereof containing any such information or documentation.

51. Par dérogation à toute autre loi ou Témoignages 5 protégés règle de droit, il ne peut être exigé d'une personne qui obtient des renseignements ou documents dans le cadre de la présente partie de déposer en justice au sujet des renseignethe administration or enforcement of this 10 ments ou documents protégés au titre de la présente partie, ni de produire tout ou partie 10 des déclarations, écrits ou autres pièces concernant ces renseignements ou documents. sauf lors d'une instance se rapportant à l'apstatement, document, writing or portion 15 plication de la présente partie ou de poursuites criminelles prévues par une loi du 15 Parlement.

### Regulations

Regulations

- 52. The Governor in Council may make regulations
  - (a) defining "formal equity" with respect 20 to persons other than corporations, partnerships or trusts;
  - (b) respecting the interests or rights that constitute informal equity;
  - (c) prescribing the classes or types of in-25 terests or rights to acquire formal equity and prescribing the circumstances in which and the persons by whom those interests or rights shall be deemed to have 30 been exercised or acquired;
  - (d) determining classes of formal equity and prescribing the types of shares, interests or rights that shall be excluded from formal equity;
  - (e) respecting the calculation or determi-35 nation of the Canadian ownership rate of any person or class of persons, the authorization of the Minister to make any calculation or determination necessary for those purposes and the manner in which any 40 such calculation or determination shall be made:
  - (f) prescribing the circumstances in which a person or class of persons shall be deemed not to be Canadian controlled:

## Règlements

52. Le gouverneur en conseil peut prendre Règlements des règlements :

a) pour définir l'expression «participation ordinaire» relativement aux personnes qui 20 ne sont ni des sociétés, ni des sociétés de personnes, ni des fiducies;

b) concernant la participation et les droits qui constituent une participation non ordinaire:

- c) pour déterminer les catégories ou sortes de participations ou de droits qui permettent d'acquérir une participation ordinaire, et déterminer les personnes par qui et préciser les circonstances dans lesquelles ces 30 participations ou droits sont censés avoir été exercés ou acquis;
- d) pour déterminer des catégories de participation ordinaire et prévoir les sortes d'actions, de participations ou de droits qui 35 doivent en être exclus;
- e) concernant le calcul ou la détermination du taux de participation canadienne de toute personne ou toute catégorie de personnes, autoriser le Ministre à faire ce 40 calcul et cette détermination et prévoir la facon de ce faire:
- f) pour prescrire les circonstances dans lesquelles une personne ou une catégorie de personnes est réputée ne pas être con-45 trôlée par des Canadiens;



- (g) respecting the determination of the control status of a person other than a corporation:
- (h) respecting the meaning of the words "owned", "owner" and "ownership" for 5 the purposes of this Part and the regulations:
- (i) prescribing any other matter or thing that is by this Part to be prescribed; and
- (i) respecting such other matters or things 10 as are necessary to carry out the provisions of this Part.

## Enforcement

Artificial transactions

- 53. (1) Whether or not the Minister has made a determination of a Canadian ownership rate in respect of an applicant for a 15 lorsque le Ministre estime : certificate, where the Minister is of the opinion that
  - (a) any agreement, arrangement, transaction or operation affecting the Canadian ownership rate of an investor or applicant 20 would result in a determination of the Canadian ownership rate on the basis of formal equity of the applicant that does not truly reflect the degree of participation of persons having interests or rights in the 25 investor or applicant, and
  - (b) one of the main reasons for the agreement, arrangement, transaction or operation was to achieve the result described in paragraph (a),

the Minister may, at any time, on his own initiative and without any notice or hearing. determine or redetermine the Canadian ownership rate of the applicant having such ment, transaction or operation as the Minister considers appropriate in the circumstances.

New certificate

to be issued

(2) A determination or redetermination pursuant to subsection (1) shall be binding 40 partie, toute personne est liée par la détermion all persons for the purposes of this Part and the Minister shall, if necessary, issue a new certificate accordingly, stating the Canadian ownership rate or the Canadian ownership rate and control status of the 45 participation canadienne ou le taux de partiapplicant and the effective period of the certificate and, on the issue of a new certificate to any person pursuant to this section, any

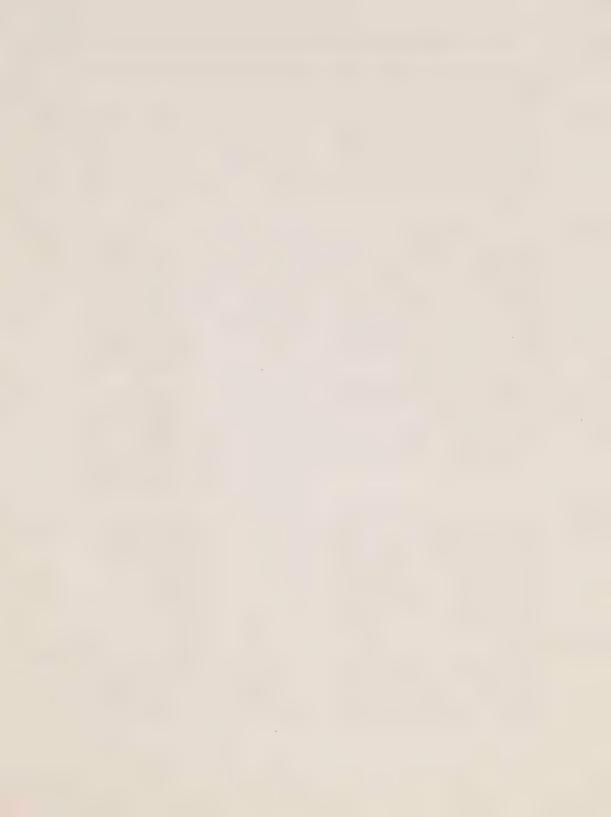
- g) concernant la détermination de l'état de contrôle d'une personne autre qu'une
- h) concernant le sens à donner au mot «posséder» et aux termes dérivés pour l'ap- 5 plication de la présente loi et des règlements;
- i) pour prévoir toute autre question qui doit être prévue par les règlements pour l'application de la présente partie; 10
- i) pour pourvoir à la réalisation des dispositions de la présente partie.

## Application

53. (1) Qu'il ait ou non déterminé le taux de participation canadienne d'un demandeur, Ententes factices

- a) qu'une entente, un arrangement ou une opération modifiant le taux de participation canadienne d'un investisseur ou d'un demandeur ferait en sorte que la détermination du taux de participation canadienne 20 basé sur la participation ordinaire du demandeur ne représenterait pas véritablement le degré de participation des personnes qui ont une participation ou des droits dans l'investisseur ou dans le demandeur, 25
- b) que l'une des principales raisons de l'entente, de l'arrangement ou de l'opération était d'obtenir le résultat visé à l'alinéa a).
- 30 il peut, de sa propre initiative et sans avis ou 30 audition, déterminer ou déterminer de nouveau le taux de participation canadienne du demandeur en prenant en considération cette entente, cet arrangement ou cette opération regard, if any, to that agreement, arrange-35 dans la mesure où, selon lui, les circonstances 35 le justifient.
  - (2) Pour l'application de la présente nation ou la nouvelle détermination faite conformément au paragraphe (1), en consé-40 quence, le Ministre doit délivrer si nécessaire un nouveau certificat indiquant le taux de cipation canadienne et l'état de contrôle canadien du demandeur, et la durée de vali-45 dité du certificat; le certificat de cette per-

Délivrance d'un



certificate of that person ceases to be effective as of the day the new certificate is effective.

Failure to comply

54. Subject to section 55, every one who contravenes or fails to comply with subsection 43(1), section 46, 47 or 49 or the regulations is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding twenty-five thousand dollars or one year or to both.

False information

- 55. Every applicant for a certificate, holder of a certificate, investor or nominee of an investor who, under this Part or the regumentation, makes any statement or answers any question, whether in connection with an application for a certificate or otherwise. knowing that the information, documentaing or misrepresents or fails to disclose a material fact, is guilty of an offence and is liable
  - (a) on summary conviction, to a fine not exceeding one hundred thousand dollars or 25 to imprisonment for a term not exceeding one year or to both; or
  - (b) on conviction on indictment, to a fine not exceeding one million dollars or to imprisonment for a term not exceeding 30 five years or to both.

Offence by employee or agent

56. In any prosecution for an offence under this Part or the regulations, it is sufficient proof of the offence to establish that it was committed by an employee or agent of 35 été commise par un employé ou un mandathe accused, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without his knowledge or consent and that he exercised 40 consentement et qu'il avait pris les mesures all due diligence to prevent its commission.

Officer, etc., of corporation

57. Where a corporation commits an offence under this Part or the regulations, any officer, director or agent of the corporaacquiesced in or participated in the commission of the offence is a party to and guilty of sonne cesse d'être valide à compter de la date d'entrée en vigueur du nouveau.

54. Sous réserve de l'article 55, quiconque 5 contrevient ou ne se conforme pas au paragraphe 43(1), à l'article 46, 47 ou 49 ou aux 5 règlements commet une infraction punissable sur déclaration sommaire de culpabilité et est passible d'une amende d'au plus vingt-cinq to imprisonment for a term not exceeding 10 mille dollars et d'un emprisonnement d'au

Défaut de se conformer

10 plus un an, ou de l'une de ces peines.

> Faux renseignements

- 55. Le demandeur de certificat, le titulaire d'un certificat, l'investisseur ou la personne désignée par ce dernier qui fournit des lations, submits any information or docu-15 renseignements ou documents, fait une déclaration ou répond à une question relative à 15 une demande de certificat ou à autre chose que visent la présente partie ou les règlements sachant que les renseignements, les tion, statement or answer is false or mislead-20 documents, la déclaration ou la réponse sont faux ou trompeurs, présente un fait impor-20 tant d'une manière erronée ou omet de divulguer un fait important est coupable d'une infraction et passible :
  - a) sur déclaration sommaire de culpabilité, d'une amende d'au plus cent mille 25 dollars et d'une peine d'emprisonnement d'au plus un an, ou de l'une de ces peines:
  - b) sur déclaration de culpabilité par voie de mise en accusation, d'une amende d'au plus un million de dollars et d'une peine 30 d'emprisonnement d'au plus cinq ans, ou de l'une de ces peines.
  - Infraction 56. Dans les poursuites pour infraction à commise par un la présente partie ou aux règlements, il suffit, employé ou un pour prouver l'infraction, d'établir qu'elle a 35 mandataire taire de l'accusé, que cet employé ou mandataire ait été ou non identifié ou poursuivi. L'accusé peut se disculper en prouvant que l'infraction a eu lieu à son insu ou sans son 40 nécessaires pour l'empêcher.
- 57. En cas de perpétration par une société d'une infraction à la présente partie ou aux règlements, ceux de ses dirigeants, adminis-45 tion who directed, authorized, assented to, 45 trateurs ou mandataires qui l'ont ordonnée ou autorisée ou qui y ont consenti ou participé sont parties à l'infraction, en sont coupa-

Dirigeants, etc. de sociétés



the offence and is liable on conviction to the punishment provided for the offence, whether or not the corporation has been prosecuted or convicted.

bles et encourent la peine prévue, que la société ait été ou non poursuivie ou déclarée coupable.

Limitation

Judicial review

58. A prosecution by way of summary 5 conviction for an offence under this Part or the regulations may be instituted at any time within but not after five years from the day the subject-matter of the complaint arose.

58. Les poursuites sur déclaration sommaire de culpabilité visant une infraction à la 5 présente partie ou aux règlements se prescrivent par cinq ans à compter de sa perpétration.

Prescription

#### Judicial Review

59. Notwithstanding subsection 28(2) of 10 the Federal Court Act, where a person is directly affected by a determination or redetermination of Canadian ownership rate by the Minister under subsection 39(2), 44(1) of Appeal for a review under section 28 of the Federal Court Act, whether or not the determination or redetermination is of an administrative nature not required by law to by filing a notice of the application in the Federal Court within thirty days after the determination or redetermination is made or within such further time as the Federal either before or after the expiration of those thirty days, fix or allow.

#### Révision judiciaire

59. Par dérogation au paragraphe 28(2) Révision de la Loi sur la Cour fédérale, quiconque est 10 judiciaire directement touché par une détermination ou une nouvelle détermination d'un taux de participation canadienne que fait le Ministre en or 53(1), he may apply to the Federal Court 15 vertu des paragraphes 39(2), 44(1) ou 53(1), peut demander sa révision conformément à 15 l'article 28 de la Loi sur la Cour fédérale, que la détermination ou la nouvelle détermination soit ou non de nature administrative be made on a judicial or quasi-judicial basis, 20 qui n'est pas soumise à un processus judiciaire ou quasi-judiciaire, en déposant une 20 demande auprès de la Cour d'appel fédérale dans les trente jours de la détermination ou de la nouvelle détermination ou pendant tout Court of Appeal or a judge thereof may, 25 autre délai supplémentaire que la Cour d'appel fédérale ou l'un de ses juges peut fixer ou 25 autoriser, soit avant, soit après l'expiration de ces trente jours.

#### Transitional Provisions

Certificates with retroactive effect

60. (1) A certificate issued pursuant to an application therefor filed in substantial comlater than the prescribed number of days after this Part comes into force shall, if the applicant so elects, be effective as of a day selected by the applicant that is not earlier effective on the last day of a period that begins on the day this Part comes into force and that has a duration determined in accordance with section 42, with such as though the effective period of a certificate referred to in that section were the duration of a certificate referred to in this section.

## Dispositions transitoires

60. (1) Le certificat délivré à la suite d'une demande qui respecte les conditions pliance with this Part and the regulations not 30 essentielles de la présente partie et des règle-30 ments et qui est déposée dans le délai réglementaire après l'entrée en vigueur de la présente partie est, selon le choix du demandeur. valide à compter de la date qu'il choisit, than January 1, 1981 and shall cease to be 35 après le 1er janvier 1981 et cesse de l'être le 35 dernier jour de la période qui débute à la date de l'entrée en vigueur de la présente partie et dont la durée est déterminée en conformité avec l'article 42, compte tenu des modifications as the circumstances require, 40 adaptations de circonstance, comme si la 40 durée de validité du certificat visé à cet article était celle du certificat visé au présent article.

Certificats avec effet rétroactif



Definition of "determination day"

(2) In this section, "determination day" means the day or days referred to in section 41.

Certifying control status

(3) Where, at any time during the period cant for a certificate under subsection (1) and ending on the determination day, the control status of the applicant differed from that determined for him as of the determina-Minister, certify his control status at each material time during that period and the Minister shall, in any certificate issued pursuant to the application, state the control during that period.

Interpretation

(4) For the purposes of an application for a certificate filed in substantial compliance with this Part and the regulations within as may be prescribed, the reference to "total equity percentage" in paragraph 48(1)(b)shall be read as a reference to "indirect equity percentage".

(2) Dans le présent article, «date de la détermination» signifie la date visée à l'article 41.

Définition de «date de la déterminations

(3) Lorsque, au cours de la période débubeginning on the day selected by an appli- 5 tant à la date que choisit un demandeur de certificat en application du paragraphe (1) et se terminant à la date de la détermination. l'état de contrôle du demandeur était différent de celui qui a été déterminé à son égard tion day, he shall, to the satisfaction of the 10à la date de la détermination, celui-ci doit, 10 d'une manière que le Ministre juge satisfaisante, attester de son état de contrôle en tout temps pendant cette période et le Ministre doit, dans un certificat délivré en conséstatus of the applicant at each material time 15 quence, indiquer l'état de contrôle du deman-15 deur en tout temps pendant cette période.

Attestation de contrôle

(4) Aux fins d'une demande de certificat visée au paragraphe (1) la référence au «pourcentage de participation totale» à l'alisuch period after this Part comes into force 20 néa 48(1)b) doit être interprétée comme 20 étant une référence au «pourcentage de participation indirecte».

Interprétation

Présomption

Presumption

**61.** An application for a certificate filed 25 prior to the coming into force of this Part that, if filed after such coming into force, would have been in substantial compliance with this Part and the regulations shall be deemed to have been filed on the day this 30 des règlements, est réputée avoir été déposée Part came into force.

Where draft regulations were relied on

**62.** (1) Notwithstanding subsection 39(1), where a person files a first application or an amended application for a certificate within six months after this Part comes into force 35 modifiée dans les six mois de l'entrée en and where, in the opinion of the Minister, prior to such coming into force the applicant or any investor in the applicant relied on any provisions of the draft regulations and revisions thereto published by the Minister on 40 dispositions des projets de règlement et leurs March 10, 1982 and thereafter, the Minister may, if the applicant so elects, determine the Canadian ownership rate of the applicant or any investor in the applicant in the manner the Minister considers appropriate having 45 d'un investisseur dans le demandeur de la regard to the provisions of those regulations and revisions thereto.

61. Une demande de certificat déposée avant l'entrée en vigueur de la présente partie et qui, si elle avait été déposée après 25 cette entrée en vigueur, aurait respecté les conditions essentielles de la présente partie et à la date de l'entrée en vigueur de la présente 30 partie.

> Utilisation des projets de règlement

62. (1) Par dérogation au paragraphe 39(1), lorsqu'une personne présente une première demande de certificat ou une demande vigueur de la présente partie et que, de l'avis 35 du Ministre, avant l'entrée en vigueur de la présente partie, le demandeur ou un investisseur dans le demandeur s'était fondé sur des révisions publiés par le Ministre le 10 mars 40 1982 et par la suite, le Ministre peut, si le demandeur le désire, déterminer le taux de participation canadienne du demandeur ou facon qu'il juge appropriée en tenant compte 45 des dispositions de ces règlements et de leurs révisions.



Filing application

(2) Notwithstanding subsections 38(1) and 39 (1), the first application or an amended application for a certificate filed within six months after this Part comes into force form and manner that is satisfactory to the Minister.

(2) Par dérogation aux paragraphes 38(1) et 39(1), une première demande de certificat ou une demande modifiée présentée dans les six mois de l'entrée en vigueur de la présente may, if the applicant so elects, be filed in any 5 partie peut, si le demandeur le désire, l'être 5 de la façon que le Ministre juge satisfaisante.

Dépôt de la demande

## PART III

#### 1973-74, c. 46; 1976-77, c. 52

## FOREIGN INVESTMENT REVIEW ACT

63. (1) Paragraph (c) of the definition "non-eligible person" in subsection 3(1) of the Foreign Investment Review Act is 101a Loi sur l'examen de l'investissement repealed and the following substituted therefor:

"(c) a corporation incorporated in Canada or elsewhere that is controlled in any manner that results in control in 15 fact, whether directly through the ownership of shares or indirectly through a trust, a contract, the ownership of shares of any other corporation or otherwise, by a person described in paragraph 20 (a) or (b) or by a group of persons any member of which is a person described in paragraph (a) or (b) or a corporation described in this paragraph:"

(2) Subsection 3(2) of the said Act is 25 repealed and the following substituted therefor:

Presumption as to non-eligible persons

- "(2) A corporation incorporated in Canada or elsewhere shall, unless the contrary is established, be deemed to be a 30 non-eligible person where
  - (a) shares of the corporation to which are attached
    - (i) 25% or more of the voting rights ordinarily exercisable at meetings of 35 shareholders of the corporation, in the case of a corporation the shares of which are publicly traded, or

(ii) 40% or more of the voting rights ordinarily exercisable at meetings of 40 shareholders of the corporation, in the

## PARTIE III

L'INVESTISSEMENT ÉTRANGER

## LOI SUR L'EXAMEN DE

1973-74, c. 46; 1976-77, c. 52

- 63. (1) L'alinéa c) de la définition de «personne non admissible» au paragraphe 3(1) de étranger est abrogé et remplacé par ce qui 10 suit:
  - corporation constituée «c) une Canada ou ailleurs qui est, d'une manière qui aboutit à un contrôle de fait, que ce soit directement par l'inter-15 médiaire de la propriété de ses actions ou indirectement par l'intermédiaire d'une fiducie, d'un contrat, de la propriété des actions de quelque autre corporation ou autrement, sous le contrôle 20 d'une personne visée à l'alinéa a) ou b) ou d'un groupe de personnes dont un membre est une personne visée à l'alinéa a) ou b), ou une corporation visée par le présent alinéa:»
- (2) Le paragraphe 3(2) de ladite loi est abrogé et remplacé par ce qui suit :
  - «(2) Une corporation constituée au Canada ou ailleurs, est, jusqu'à preuve du contraire, réputée être une personne non 30 admissible lorsque

Personnes présumées non admissibles

- a) sur les actions de la corporation assorties du droit de vote qui peut être ordinairement exercé aux assemblées des actionnaires de la corporation 35
  - (i) 25% ou plus desdites actions, s'il s'agit d'une corporation dont les actions son librement négociables, ou
  - (ii) 40% ou plus desdites actions, s'il s'agit d'une corporation dont les 40 actions ne sont pas librement négociables.



case of a corporation the shares of which are not publicly traded,

are owned by one or more non-eligible persons, or by one or more corporations incorporated elsewhere than in Canada 5 or by any combination of such persons; or

(b) shares of the corporation to which are attached 5% or more of the voting rights ordinarily exercisable at meetings 10 of shareholders of the corporation are owned by any one non-eligible person or by any one corporation incorporated elsewhere than in Canada."

appartiennent soit à une ou plusieurs personnes non admissibles, soit à une ou plusieurs corporations constituées ailleurs qu'au Canada, soit à un groupe constitué de telles personnes; ou

b) 5% ou plus des actions de la corporation, assorties du droit de vote qui peut être ordinairement exercé aux assemblées des actionnaires de la corporation, appartenant à une personne non admis-10 sible ou à une corporation constituée hors du Canada.»

#### PART IV

## **COMING INTO FORCE**

## PARTIE IV

## ENTRÉE EN VIGUEUR

Commencement **64.** Parts I and II or any provisions there-15 of shall come into force on a day or days to be fixed by proclamation.

**64.** Les parties I et II ou l'une de leurs dispositions entrent en vigueur à la date ou aux dates fixées par proclamation.

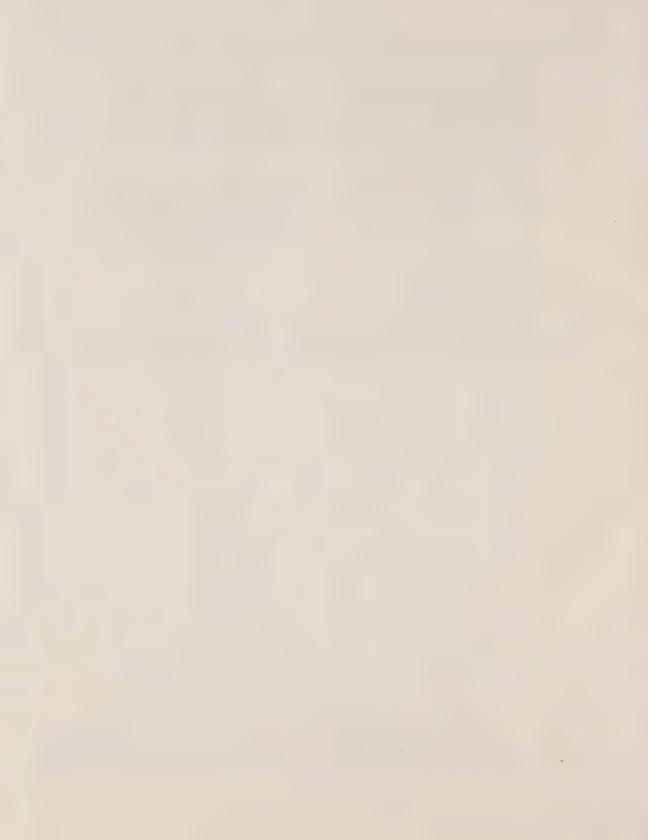
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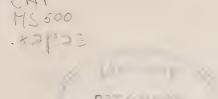
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Government Palications

(Extract from the Canada Gazette Part II, dated July 28, 1982)

(Extrait de la Gazette du Canada Partie II, en date du 28 juillet 1982)

Registration SOR/82-666 7 July, 1982

PETROLEUM INCENTIVES PROGRAM ACT

## **Petroleum Incentives Program Regulations**

P.C. 1982-1997 30 June, 1982

His Excellency the Governor General in Council, on the recommendation of the Minister of Energy, Mines and Resources and the Treasury Board, pursuant to section 21 of the Petroleum Incentives Program Act, is pleased hereby to make the annexed Regulations respecting incentives for the exploration for and development of oil and gas in Canada, effective June 30, 1982.

# REGULATIONS RESPECTING INCENTIVES FOR THE EXPLORATION FOR AND DEVELOPMENT OF OIL AND GAS IN CANADA

#### Short Title

1. These Regulations may be cited as the *Petroleum Incentives Program Regulations*.

## Interpretation

- 2. (1) In these Regulations,
- "Act" means the Petroleum Incentives Program Act; (Loi)
- "applicant" means an applicant for an incentive; (demandeur)
- "Canadian exploration and development overhead expense" means a Canadian exploration and development overhead expense as defined in Schedule V; (frais généraux d'exploitation et d'aménagement au Canada)
- "certificate" has the same meaning as in subsection 35(1) of the Canadian Ownership and Control Determination Act; (certificat)
- "Crown share" has the same meaning as in subsection 27(1) of the Canada Oil and Gas Act; (part de la Couronne)
- "data" means maps, cross-sections, well-logs and other records of basic or interpretive information produced as a result of geological, geophysical or geochemical work; (donnée)

Enregistrement DORS/82-666 7 juillet 1982

LOI SUR LE PROGRAMME D'ENCOURAGEMENT DU SECTEUR PÉTROLIER

## Règlement sur le programme d'encouragement du secteur pétrolier

C.P. 1982-1997 30 juin 1982

Sur avis conforme du ministre de l'Énergie, des Mines et des Ressources et du conseil du Trésor et en vertu de l'article 21 de la Loi sur le Programme d'encouragement du secteur pétrolier, il plaît à Son Excellence le Gouverneur général en conseil d'établir, à compter du 30 juin 1982, le Règlement concernant les subventions d'encouragement à l'aménagement des terres pétrolifères et gazifères au Canada, ci-après.

## RÈGLEMENT CONCERNANT LES SUBVENTIONS D'ENCOURAGEMENT À L'AMÉNAGEMENT DES TERRES PÉTROLIFÈRES ET GAZIFÈRES AU CANADA

#### Titre abrégé

1. Le présent règlement peut être cité sous le titre: Règlement sur le programme d'encouragement du secteur pétrolier.

## Définitions

- 2. (1) Les définitions qui suivent s'appliquent au présent règlement.
- «accord d'union» Un accord qui, lorsque prescrit par une règle de droit, a été déposé auprès d'une autorité compétente ou approuvé par cette dernière et en vertu duquel deux ou plusieurs personnes détenant des intérêts actifs dans la totalité ou une partie d'une unité s'entendent
  - a) pour mettre en valeur et exploiter conjointement cette unité dans le but d'en récupérer du pétrole ou du gaz, et
  - b) conformément à une méthode fixée dans l'accord, pour partager le pétrole et le gaz récupéré de l'unité ainsi que les frais qui y sont liés ou attribuables en fonction de l'intérêt actif détenu par chacune d'elles,
- mais ne s'entend pas d'un accord en vertu duquel chaque partie détient un intérêt actif dans la totalité de la parcelle qui fait l'objet de l'accord. (unit agreement)
- «achat de données» Ne s'entend pas de l'acquisition de données en vertu d'un contrat de service. (purchase of data)

- "drilling contribution" means a contribution towards or reimbursement of part of the expenditures incurred in drilling a well that a person who neither owns nor has a right to acquire ownership of a working interest in respect of the lands containing the well makes
  - (a) pursuant to an agreement entered into prior to completion of the drilling,
  - (b) to a person who owns a working interest in respect of the land, and
  - (c) as consideration for the receipt of information in respect of the well;

(contribution aux frais de forage)

- "earning expense" means an eligible expense incurred to earn ownership of oil or gas rights and includes an eligible expense that is an expense described in subparagraph (3)(c)(ii) but does not include a "penalty expense" as defined in subsection 21(1); (frais liés à l'intérêt actif à gagner)
- "eligible expense" means an eligible development expense or an eligible exploration expense; (frais admissibles)

"fiscal period" means

- (a) in respect of a person who incurs an eligible cost or expense as a trustee in respect of a trust, other than a testamentary trust referred to in paragraph (b), a calendar year,
- (b) in respect of a person who incurs an eligible cost or expense in respect of a trust that is a testamentary trust as defined in paragraph 108(1)(i) of the *Income Tax Act*, the taxation year of the trust as determined in accordance with paragraph 104(23)(a) of the *Income Tax Act*,
- (c) in respect of an individual, a calendar year, and
- (d) in respect of any other person, the fiscal period of that person described in the definition "fiscal period" in subsection 248(1) of the *Income Tax Act*;

(exercice financier)

- "fiscal quarter" means a period of three consecutive months beginning
  - (a) in the case of the first fiscal quarter in a fiscal period, on the first day of the fiscal period, and
  - (b) in the case of the second, third and fourth fiscal quarters in a fiscal period, on the day following the end of the preceding fiscal quarter,

but where

- (c) a fiscal period is less than twelve months, the remainder of the fiscal period following the last complete fiscal quarter of that fiscal period determined under paragraph (a) or (b) shall be a fiscal quarter, and
- (d) a fiscal period exceeds twelve months, the excess shall be included in the fourth fiscal quarter of that fiscal period;

(trimestre financier)

- "freehold lessor's royalty" means an interest in oil or gas, or in the proceeds of the disposition of oil or gas; that a freehold owner of the oil or gas has reserved from or acquired in respect of oil or gas rights that he has granted to another person; (redevance de locateurs de terres libres de toute servitude)
- "gross interest" means an interest in oil or gas, or in the proceeds of the disposition of oil or gas, or a right to a

- «certificat» S'entend au sens que donne à ce mot le paragraphe 35(1) de la Loi sur la détermination de la participation et du contrôle canadiens. (certificate)
- «contribution aux frais de forage» Une contribution à l'égard des frais engagés dans le forage d'un puits ou le remboursement d'une partie de ces frais qu'une personne, qui ne possède pas d'intérêt actif ni le droit d'acquérir un intérêt actif dans les terres où le puits est foré, verse
  - a) aux termes d'un accord conclu avant la fin du forage;
  - b) à une personne qui possède un intérêt actif à l'égard de ces terres; et
  - c) en échange de renseignements sur le puits.

(drilling contribution)

- «demandeur» La personne qui demande une subvention. (applicant)
- «donnée» Une carte, une diagraphie ou un diagramme de puits, ou tout autre document contenant des renseignements de base ou d'interprétation résultant d'activités géologiques, géochimiques ou géophysiques. (data)
- «droit détenu en garantie» Un droit dans des biens ou une servitude grevant des biens, détenu dans le seul but de garantir le paiement de toute créance qu'elle soit présente, future, absolue ou conditionnelle. (security interest)
- «droit sur le pétrole ou le gaz» Les droits d'exploration, d'extraction et d'aliénation du pétrole ou ou gaz et s'entend de «droits» ou «intérêt» au sens que donne à ces mots le paragraphe 2(1) de la Loi sur le pétrole et le gaz du Canada. (oil or gas rights)

«exercice financier»

- a) Dans le cas d'un fiduciaire qui engage des coûts au frais admissibles pour une fiducie, autre qu'une fiducie testamentaire visée à l'alinéa b), une année civile;
- b) dans le cas d'une personne qui engage des coûts ou frais admissibles pour une fiducie testamentaire, au sens de l'alinéa 108(1)i) de la Loi de l'impôt sur le revenu, l'année d'imposition de la fiducie déterminée en vertu de l'alinéa 104(23)a) de la Loi de l'impôt sur le revenu;
- c) dans le cas d'un particulier, une année civile: et
- d) dans tous les autres cas, l'exercice financier visée par la définition de cette expression au paragraphe 248(1) de la Loi de l'impôt sur le revenu.

(fiscal period)

- «frais admissibles» Les frais d'aménagement admissibles ou les frais d'exploration admissibles. (eligible expense)
- «frais généraux d'exploration et d'aménagement au Canada» Le sens que donne l'annexe V à cette expression. (Canadian exploration and development overhead expense)
- «frais liés à l'intérêt actif à gagner» Les frais admissibles engagés pour acquérir la propriété de droits sur le pétrole ou le gaz et s'entend en outre des frais visés au sous-alinéa (3)c)(ii), mais non des «frais visé par une pénalité» au sens que donne à cette expression le paragraphe 21(1). (earning expense)
- «intérêt actif» désigne un intérêt indivis dans un droit sur le pétrole ou le gaz. (working interest)
- «intérêt brut» Un intérêt dans du pétrole ou du gaz ou dans le produit de l'aliénation de ce pétrole ou gaz, ou un droit à un

## **ADDENDUM**

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gaz,

Paragraph 4(a) of Schedule V to the <u>Petroleum Incentives Program Regulations</u> has been revoked and the following substituted therefor:

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"(a) it is incurred prior to 1983 in respect of Canada Lands;

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This change should appear in the Canada Gazette of August 11, 1982.

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proceeds of the disposition of oil or gas, that remains after the payment of all expenditures associated with or attributable to the recovery of the oil or gas or the maintenance of the ownership of oil or gas rights in respect of the oil or gas, but does not include

- (a) a working interest,
- (b) a right to a payment pursuant to subsection 29(2) of the Canada Oil and Gas Act, or
- (c) a production payment, to the extent that it is reasonable in the circumstances;

## (intérêt net)

"oil or gas rights" means rights to explore for, extract and dispose of oil or gas and includes an "interest" as defined in subsection 2(1) of the Canada Oil and Gas Act; (droit sur le pétrole ou le gaz)

"operating interest" means an undivided interest in all of the assets in a project but does not include an interest held principally for the purpose of gaining or producing gross revenue that is rent, royalty or leasing revenue; (intérêt dans l'exploitation)

"ownership" means beneficial ownership; (propriété)

"production payment" means a right to share in the oil or gas recovered from a well

- (a) free from the payment of all expenditures that are associated with or attributable to the recovery of the oil or gas or the maintenance of the oil or gas rights in respect of the oil or gas,
- (b) in repayment of a fixed amount of indebtedness or any cost of borrowing in respect of a fixed amount of indebt-

«interet dans l'exploitation» Un interet muivis dans l'actif utilisé dans le cadre d'un projet mais ne s'entend pas d'un intérêt détenu principalement dans le but de gagner ou de produire des revenus bruts sous forme de rente économique, de redevance ou des frais de location. (operating interest)

«intérêt net» Un intérêt dans du pétrole ou du gaz ou dans le produit de l'aliénation de ce pétrole ou gaz, après paiement de tous les frais qui sont liés ou attribuables à la récupération du pétrole ou du gaz ou au maintien de la propriété des droits sur le pétrole ou le gaz, mais ne s'entend pas

- a) d'un intérêt actif:
- b) d'un droit à un paiement en vertu du paragraphe 29(2) de la Loi sur le pétrole et le gaz du Canada; ou
- c) un paiement lié à la production dans la mesure où il est raisonnable dans les circonstances.

#### (net interest)

«Loi» La Loi sur le programme d'encouragement du secteur pétrolier. (Act)

«matériel de récupération tertiaire» Le matériel qui est inclus dans l'alinéa j) de la catégorie 10 de l'annexe II du Règlement de l'impôt sur le revenu. (tertiary recovery equipment)

«paiement lié à la production» Un droit de partager le pétrole ou le gaz récupéré d'un puits

- a) après déduction de tous les frais liés ou attribuables à la récupération du pétrole ou du gaz ou au maintien des droits sur le pétrole ou le gaz, en ce qui a trait au pétrole ou au gaz;
- b) en remboursement du montant établi d'une créance ou du coût d'emprunt à l'égard d'une créance, si la date

"drillin hurse well acqui lands (a) ple (b) the (c) rest (contr "earning owner expen: (3)(c)define gagnei "eligible an elig "fiscal pe (a) expe testa dar 1 (b) i expe defin the t with (c) ir (d) in perso section (exercice tinancier)

"fiscal quarter" means a period of three consecutive months beginning

(a) in the case of the first fiscal quarter in a fiscal period, on the first day of the fiscal period, and

(b) in the case of the second, third and fourth fiscal quarters in a fiscal period, on the day following the end of the preceding fiscal quarter,

#### but where

(c) a fiscal period is less than twelve months, the remainder of the fiscal period following the last complete fiscal quarter of that fiscal period determined under paragraph (a) or (b) shall be a fiscal quarter, and

(d) a fiscal period exceeds twelve months, the excess shall be included in the fourth fiscal quarter of that fiscal period;

(trimestre financier)

"freehold lessor's royalty" means an interest in oil or gas, or in the proceeds of the disposition of oil or gas; that a freehold owner of the oil or gas has reserved from or acquired in respect of oil or gas rights that he has granted to another person; (redevance de locateurs de terres libres de toute servitude)

"gross interest" means an interest in oil or gas, or in the proceeds of the disposition of oil or gas, or a right to a

v) dans le cas d'une personne qui engage des coûts ou frais admissibles pour une fiducie testamentaire, au sens de l'alinéa 108(1)i) de la Loi de l'impôt sur le revenu, l'année d'imposition de la fiducie déterminée en vertu de l'alinéa 104(23)a) de la Loi de l'impôt sur le revenu;

c) dans le cas d'un particulier, une année civile; et

d) dans tous les autres cas, l'exercice financier visée par la définition de cette expression au paragraphe 248(1) de la Loi de l'impôt sur le revenu.

(fiscal period)

«frais admissibles» Les frais d'aménagement admissibles ou les frais d'exploration admissibles. (eligible expense)

«frais généraux d'exploration et d'aménagement au Canada» Le sens que donne l'annexe V à cette expression. (Canadian exploration and development overhead expense)

«frais liés à l'intérêt actif à gagner» Les frais admissibles engagés pour acquérir la propriété de droits sur le pétrole ou le gaz et s'entend en outre des frais visés au sous-alinéa (3)c)(ii), mais non des «frais visé par une pénalité» au sens que donne à cette expression le paragraphe 21(1). (earning expense)

«intérêt actif» désigne un intérêt indivis dans un droit sur le pétrole ou le gaz. (working interest)

«intérêt brut» Un intérêt dans du pétrole ou du gaz ou dans le produit de l'aliénation de ce pétrole ou gaz, ou un droit à un payment that is determined by reference to oil or gas, but does not include

- (a) a working interest, a net interest, a right of Her Majesty to a payment as a lessor of oil or gas rights or a right to a payment pursuant to subsection 29(2) of the Canada Oil and Gas Act,
- (b) a production payment, to the extent that it is reasonable in the circumstances,
- (c) that portion of a freehold lessor's royalty that is equal to or less than 30% of the oil or gas recovered from the tract to which the royalty pertains or is equal to or less than 30% of the proceeds of the disposition of that oil or gas, or
- (d) a freehold lessor's royalty that is determined pursuant to an agreement in writing as an amount equal to
  - (i) the royalty, if any, and any tax, assessment, benefit or fee in the nature of a royalty that would be payable to or receivable by Her Majesty if the oil or gas rights to which the freehold lessor's royalty pertains were acquired from Her Majesty

less

(ii) any freehold mineral tax payable by the payor of the royalty;

(intérêt brut)

- "Her Majesty" means Her Majesty in right of Canada or a province; (Sa Majesté)
- "net interest" means an interest in oil or gas, or in the proceeds of the disposition of oil or gas, that remains after the payment of all expenditures associated with or attributable to the recovery of the oil or gas or the maintenance of the ownership of oil or gas rights in respect of the oil or gas, but does not include
  - (a) a working interest,
  - (b) a right to a payment pursuant to subsection 29(2) of the Canada Oil and Gas Act, or
  - (c) a production payment, to the extent that it is reasonable in the circumstances;

(intérêt net)

- "oil or gas rights" means rights to explore for, extract and dispose of oil or gas and includes an "interest" as defined in subsection 2(1) of the Canada Oil and Gas Act; (droit sur le pétrole ou le gaz)
- "operating interest" means an undivided interest in all of the assets in a project but does not include an interest held principally for the purpose of gaining or producing gross revenue that is rent, royalty or leasing revenue; (intérêt dans l'exploitation)
- "ownership" means beneficial ownership; (propriété)
- "production payment" means a right to share in the oil or gas recovered from a well
  - (a) free from the payment of all expenditures that are associated with or attributable to the recovery of the oil or gas or the maintenance of the oil or gas rights in respect of the oil or gas,
  - (b) in repayment of a fixed amount of indebtedness or any cost of borrowing in respect of a fixed amount of indebt-

paiement déterminé en rapport avec le pétrole ou le gaz, mais ne s'entend pas

- a) d'un intérêt actif, d'un intérêt net, d'un droit de Sa Majesté à un paiement en sa qualité de locateur des droits sur le pétrole ou le gaz, ou du droit à un paiement en vertu du paragraphe 29(2) de la Loi sur le pétrole et le gaz du Canada;
- b) un paiement lié à la production dans la mesure où il est raisonnable dans les circonstances;
- c) la partie d'une redevance de locateur de terres libres de toute servitude qui est égale ou inférieure à 30 pour cent du pétrole ou du gaz récupéré de la parcelle à laquelle s'applique la redevance, ou égale ou inférieure à 30 pour cent du produit de l'aliénation de ce pétrole ou gaz; ou
- d) une redevance de locateur de terres libres de toute servitude qui est déterminée conformément à un accord écrit, comme étant égale à
  - (i) la redevance, s'il y a lieu, et de toute taxe, évaluation, bénéfice ou frais semblables à une redevance que devrait recevoir Sa Majesté si les droits sur le pétrole ou le gaz auxquels s'applique la redevance de locateur de terres libres de toute servitude étaient acquis de Sa Majesté,

moins

(ii) toute taxe foncière sur les minéraux de terres libres de toute servitude que doit verser la personne qui paie la redevance.

(gross interest)

- «intérêt dans l'exploitation» Un intérêt indivis dans l'actif utilisé dans le cadre d'un projet mais ne s'entend pas d'un intérêt détenu principalement dans le but de gagner ou de produire des revenus bruts sous forme de rente économique, de redevance ou des frais de location. (operating interest)
- «intérêt net» Un intérêt dans du pétrole ou du gaz ou dans le produit de l'aliénation de ce pétrole ou gaz, après paiement de tous les frais qui sont liés ou attribuables à la récupération du pétrole ou du gaz ou au maintien de la propriété des droits sur le pétrole ou le gaz, mais ne s'entend pas
  - a) d'un intérêt actif;
  - b) d'un droit à un paiement en vertu du paragraphe 29(2) de la Loi sur le pétrole et le gaz du Canada; ou
  - c) un paiement lié à la production dans la mesure où il est raisonnable dans les circonstances.

(net interest)

- «Loi» La Loi sur le programme d'encouragement du secteur pétrolier. (Act)
- «matériel de récupération tertiaire» Le matériel qui est inclus dans l'alinéa j) de la catégorie 10 de l'annexe II du Règlement de l'impôt sur le revenu. (tertiary recovery equipment)
- «paiement lié à la production» Un droit de partager le pétrole ou le gaz récupéré d'un puits
  - a) après déduction de tous les frais liés ou attribuables à la récupération du pétrole ou du gaz ou au maintien des droits sur le pétrole ou le gaz, en ce qui a trait au pétrole ou au gaz;
  - b) en remboursement du montant établi d'une créance ou du coût d'emprunt à l'égard d'une créance, si la date

edness, where the probable date of repayment in full of the indebtedness is prior to the end of the economic life of the well, and

(c) whether or not such right is accompanied by a right to purchase oil or gas from the well;

(paiement lié à la production)

- "program" means the collection, processing, analysis, interpretation, display or documentation of basic information resulting from geological, geophysical, or geochemical work; (programme)
- "project" means an operation to recover oil in Canada using tertiary recovery methods; (projet)
- "purchase of data" does not include the acquisition of data pursuant to a contract for service; (achat de données)
- "security interest" means an interest in or charge against property held solely for the purpose of securing the payment of an indebtedness, whether the indebtedness is present, future, absolute or contingent; (droit détenu en garantie)
- "syndicated test well" means a well situated on Canada lands that does not result in commercial production of oil or gas from that well and is drilled,
  - (a) for the purpose of evaluating an accumulation of oil or gas, on a tract in Canada lands that is reasonably believed to contain all or part of the accumulation,
  - (b) pursuant to an agreement under which two or more persons who hold working interests in respect of all or part of the tract share, on a basis determined with regard to their respective working interests, in the expenditures incurred in respect of the well, and
  - (c) on a part of the tract in respect of which some of the persons who share in the expenditures do not have a working interest;

(puits d'exploration en commun)

- "tertiary recovery equipment" means property included in paragraph (j) of Class 10 in Schedule II to the Income Tax Regulations; (matériel de récupération tertiaire)
- "tract" means an area of land delimited in terms of its surface; (parcelle)
- "unit" means the total area of land subject to a unit agreement; (unité)
- "unit agreement" means an agreement that, where required by law, has been filed with or approved by the proper government authority and under which two or more persons who hold working interests in respect of all or part of a unit agree
  - (a) to jointly develop and operate the unit for the recovery of oil or gas, and
  - (b) to share, in accordance with a method set out in the agreement, on a basis determined with regard to their respective working interests, the oil or gas recovered from the unit and the expenditures associated with or attributable to its recovery,

but does not include an agreement where each party to the agreement holds a working interest in respect of all of the tract that is subject to the agreement; (accord d'union)

"unit tract" means a tract established pursuant to a unit agreement for the purpose of allocating the oil or gas

- probable du remboursement intégral précède la fin de la vie économique du puits; et
- c) que ces droits soient accompagnés ou non d'un droit d'achat du pétrole ou du gaz récupéré du puits.

(production payment)

- «parcelle» Une superficie délimitée en termes de surface. (tract)
- «parcelle unitaire» Une parcelle, déterminée en vertu d'un accord d'union, aux fins de la répartition du pétrole ou du gaz récupérés d'une unité et des frais liés ou attribuables à la récupération entre les personnes détenant des intérêts actifs en ce qui concerne la totalité ou une partie de l'unité. (unit track)
- «part de la Couronne» S'entend au sens que donne à cette expression le paragraphe 27(1) de la Loi sur le pétrole et le gaz du Canada. (Crown share)
- «programme» La cueillette, le traitement, l'analyse, l'interprétation ou la distribution des renseignements de base résultant de travaux géologiques, géophysiques ou géochimiques. (program)
- «projet» L'exploitation dont le but est de récupérer du pétrole au Canada en utilisant les méthodes de récupération tertiaire. (project)
- «propriété» Le fait d'avoir la propriété effective. (ownership)
- «puits» Un puits de pétrole ou de gaz selon le sens que donne à ce mot l'alinéa 66(15)g.1) de la Loi de l'impôt sur le revenu. (well)
- «puits d'exploration en commun» Un puits situé sur des terres du Canada, qui ne vise pas la production commerciale de pétrole ou de gaz et qui est foré
  - a) dans une parcelle située sur des terres du Canada qui devrait raisonnablement contenir la totalité ou une partie d'une accumulation de pétrole ou de gaz, dans le but d'évaluer cette accumulation;
  - b) en vertu d'une entente selon laquelle deux ou plusieurs personnes détenant des intérêts actifs dans la totalité ou une partie d'une parcelle partagent, en fonction des intérêts actifs de chacune, les coûts de forage du puits; et
  - c) dans une partie de la parcelle dans laquelle certaines des personnes qui partagent les coûts ne détiennent pas un intérêt actif.

(syndicated test well)

- «redevance de locateur de terres libres de toute servitude» Un intérêt dans du pétrole ou du gaz ou dans le produit de l'aliénation de ce pétrole ou gas qu'un propriétaire exclusif du pétrole ou du gaz a réservé ou acquis à partir des droits relatifs au pétrole ou au gaz qu'il a accordés à une autre personne. (freehold lessor's royalty)
- «Sa Majesté» Sa Majesté du chef du Canada ou d'une province. (Her Majesty)
- «trimestre financier» Une période de trois mois consécutifs qui commence
  - a) avec le premier jour du premier exercice financier, s'il s'agit du premier trimestre financier d'un exercice,
  - b) le lendemain du jour marquant la fin du trimestre financier précédant, s'il s'agit du deuxième, troisième ou quatrième trimestre d'un exercice financier,

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recovered from a unit and the expenditures associated with or attributable to its recovery among the persons who hold working interests in respect of all or part of the unit; (parcelle unitaire)

"well" means an oil or gas well within the meaning of paragraph 66(15)(g.1) of the *Income Tax Act*; (puits)

"working interest" means an undivided interest in oil or gas rights. (intérêt actif)

- (2) For the purposes of the definition "oil or gas rights" in subsection (1), a person who holds a right granted by Her Majesty to explore for oil or gas in a tract shall be considered, in respect of the entire tract, to hold any further rights in respect of the oil or gas that he may, either immediately or in the future, and either absolutely or contingently, be entitled to acquire from Her Majesty in respect of all or part of the tract.
- (3) For the purposes of these Regulations, a person shall be considered to own oil or gas rights at a particular time in respect of the lands containing a well in connection with which the person has incurred an earning expense where,
  - (a) at that particular time, an agreement exists pursuant to which
    - (i) the person will acquire oil or gas rights in respect of the lands containing the well if further related expenses are incurred in respect of that well, and
    - (ii) acquisition of the oil or gas rights is not contingent on an expense being incurred in respect of any other well;
  - (b) if the well is situated on Canada lands, the agreement referred to in paragraph (a) is approved under section 52 of the Canada Oil and Gas Act and, at that particular time, no term or condition of the approval has been breached; and (c) either
    - (i) in relation to the agreement referred to in paragraph (a), and at that particular time,
      - (A) no event has occurred as a result of which the oil or gas rights will not be acquired, and
      - (B) it is reasonable to believe, having regard to all the circumstances, that the person will acquire the oil and gas rights, or
    - (ii) the expense pertains to the abandonment of a well and the person is legally obligated to incur the expense.
- (4) For the purposes of these Regulations and except where the context otherwise requires, a reference to a "person" or "taxpayer" in any provision of the *Income Tax Act* or the *Income Tax Regulations* that applies in respect of these Regulations shall be read as a reference to a "person" as defined in subsection 2(1) of the Act.
- (5) For the purposes of these Regulations, the provisions of the *Income Tax Act* apply, with such modifications as the circumstances require, in determining whether or not a person is dealing at arm's length with another person, and

- c) lorsqu'un exercice financier compte moins de 12 mois, la balance de l'exercice après le dernier trimestre financier complet de l'exercice financier déterminé selon l'alinéa a) ou b) constitue un trimestre financier, et
- d) lorsque l'exercice financier compte plus de 12 mois, les mois en plus sont inclus dans le quatrième trimestre financier de l'exercice.

(fiscal quarter)

- «unité» La superficie totale qui fait l'objet d'un accord d'union. (unit)
- (2) Aux fins de la définition de «droits sur le pétrole ou le gaz» au paragraphe (1), une personne qui a obtenu de Sa Majesté le droit de procéder à l'exploration du pétrole ou du gaz dans une parcelle est réputée détenir tous les droits ultérieurs relatifs au pétrole ou au gaz qu'elle pourrait, soit immédiatement ou dans l'avenir, soit de façon absolue ou conditionnelle, acquérir de Sa Majesté dans la totalité ou une partie de cette parcelle.
- (3) Aux fins du présent règlement, une personne est réputée posséder à une date donnée des droits sur le pétrole ou le gaz qui existent à l'égard des terres où est situé le puits pour lequel la personne a engagé des frais liés à l'intérêt actif à gagner si
  - a) un accord existait à cette date donnée qui stipulait que
    - (i) la personne acquerra des droits sur le pétrole ou le gaz dans les terres où est situé le puits à la condition que des frais connexes additionnels soient engagés à l'égard du puits, et
    - (ii) l'acquisition des droits sur le pétrole ou le gaz n'est pas conditionnelle à la nécessité d'engager des frais à l'égard d'un autre puits;
  - b) lorsque le puits est situé dans des terres du Canada, l'accord visé à l'alinéa a) a été approuvé en vertu de l'article 52 de la *Loi sur le pétrole et le gaz du Canada* et que toutes les modalités de l'approbation ont été respectées à cette date donnée; et
  - c) l'une des conditions suivantes est réalisée:
    - (i) dans le cas de l'accord visé à l'alinéa a) et à cette date donnée.
      - (A) il ne s'est rien produit pour que les droits sur le pétrole ou le gaz ne soient pas acquis, et
      - (B) il est raisonnable de croire, compte tenu des circonstances, que la personne fera l'acquisition des droits sur le pétrole ou le gaz, ou
    - (ii) les frais engagés portent sur l'abandon du puits et la personne est légalement obligée de les engager.
- (4) Aux fins du présent règlement et sauf si le contexte exige le contraire, un renvoi à une «personne» ou à un «contribuable» dans la Loi de l'impôt sur le revenu ou le Règlement de l'impôt sur le revenu doit s'interpréter dans le présent règlement comme un renvoi à une «personne» au sens que donne à ce mot le paragraphe 2(1) de la Loi.
- (5) Aux fins du présent règlement, la Loi de l'impôt sur le revenu s'applique, compte tenu des adaptations de circonstance, pour déterminer si une personne a ou non des liens de dépendance avec une autre personne, et

- (a) a partnership or trust shall be considered to be a corporation for the purposes of the application of those provisions to any such determination; and
- (b) where a trust is determined to be not dealing at arm's length with a person, the trustee in respect of the trust shall be considered to be not dealing at arm's length with that person.
- (6) For the purposes of these Regulations and paragraph 4(b) of the Act,
  - (a) where a person incurs an eligible cost or expense as a trustee in respect of a trust, he shall be considered to be the owner of any property or interest therein of which he is the legal owner under that trust;
  - (b) ownership by a partnership of a prescribed interest referred to in that paragraph shall be considered to be ownership of the prescribed interest by a partner of the partnership during the period that the partner is a qualified person under subsection 5(1) of the Act; and
  - (c) eligible development expenses incurred for a purpose described in clause 66.2(5)(a)(i)(A), (C) or (D) of the *Income Tax Act* shall be considered to have been incurred in respect of the oil or gas wells in respect of which they may reasonably be regarded as having been incurred.
- (7) The definitions "gross interest", "net interest", "operating interest" and "working interest" in subsection (1) shall be read as not including any security interest in oil or gas rights, in oil or gas, in the proceeds of the disposition of oil or gas or in any right to a payment that is determined by reference to oil or gas.
- (8) The expression "incentive" in subsection 13(1) shall be read as including any incentive that, but for paragraph 32(a) of the Act, could have been made under section 4 of the Act.
  - (9) A reference in these Regulations to
  - (a) a form, means a form set out in Schedule I; and
  - (b) a formula, means the appropriate formula set out in Schedule II.

#### PART I

#### GENERAL

Time at which Eligible Cost or Expense is Considered to be Incurred

- 3. For the purposes of the Act and these Regulations,
- (a) where an eligible cost or expense is incurred as consideration for the acquisition of property, other than
  - (i) oil or gas rights, or
  - (ii) shares in the capital stock of a corporation or an interest in such shares or right thereto acquired pursuant to an agreement referred to in subparagraph 66.1(6)(a)(v) or 66.2(5)(a)(v) of the *Income Tax Act*,
- the eligible cost or expense shall be considered to be incurred when the property is acquired;
- (b) where an eligible cost or expense is incurred as consideration for a service, the eligible cost or expense shall be considered to be incurred from time to time as the service is rendered; and

- a) une société de personnes ou une fiducie est réputée être une société aux fins de ladite loi quant à cette détermination: et
- b) lorsqu'il est déterminé qu'une fiducie a des liens de dépendance avec une personne, le fiduciaire est réputé à l'égard de la fiducie avoir un lien de dépendance avec cette personne.
- (6) Aux fins du présent règlement et de l'alinéa 4b) de la Loi,
  - a) le fiduciaire qui engage des coûts ou frais admissibles pour une fiducie est réputé être le propriétaire réel de tout bien ou intérêt dont il est le propriétaire légal en vertu de cette fiducie:
  - b) la propriété d'un droit prescrit visé à cet alinéa que détient une société de personnes est réputée être la propriété d'un droit prescrit détenu par un associé de la société de personnes au cours de la période pendant laquelle cet associé est un ayant droit en vertu du paragraphe 5(1) de la Loi; et
  - c) les frais d'aménagement admissibles engagés à l'une des fins visées à la disposition 66.2(5)a)(i)(A), (C) ou (D) de la Loi de l'impôt sur le revenu sont réputés avoir été engagés pour le puits à l'égard duquel on peut raisonnablement considérer qu'ils ont été engagés.
- (7) Les expressions «intérêt actif», «intérêt dans l'exploitation», «intérêt brut» et «intérêt net» au paragraphe (1) n'incluent pas un droit détenu en garantie sur des droits sur le pétrole ou le gaz, dans du pétrole ou du gaz ou le produit de l'aliénation de ce pétrole ou gaz ou tout droit à un paiement déterminé en rapport avec le pétrole ou le gaz.
- (8) Le mot «subvention» au paragraphe 13(1) s'entend d'une subvention qui aurait pu être accordée en vertu de l'article 4 de la Loi si ce n'était de l'alinéa 32a) de la Loi.
  - (9) Dans le présent règlement,
  - a) un renvoi à un formulaire s'entend d'un formulaire visé à l'annexe I; et
  - b) un renvoi à une formule s'entend de la formule pertinente visée à l'annexe II.

## **PARTIE I**

#### DISPOSITIONS GÉNÉRALES

Moment à partir duquel les frais ou coûts admissibles sont réputés être engagés

- 3. Aux fins de la Loi et du présent règlement,
- a) lorsque des coûts ou frais admissibles sont engagés dans le but d'acquérir des biens autres que
  - (i) des droits sur le pétrole ou le gaz, ou
  - (ii) des actions du capital-actions d'une société ou toute autre participation dans ces actions ou droits acquis en vertu d'une entente décrite aux sous-alinéas 66.1(6)a)(v) ou 66.2(5)a)(v) de la Loi de l'impôt sur le revenu,

les coûts ou frais admissibles sont réputés être engagés au moment où les biens sont acquis;

b) lorsque des frais ou des coûts admissibles sont engagés dans le but d'obtenir un service, les coûts ou frais admissibles sont réputés être engagés au moment où le service est obtenu; et (c) where an eligible cost or expense is incurred as consideration for the use of or the right to use property, other than oil or gas rights, the eligible cost or expense shall be considered to be incurred from time to time during the period of use of or the existence of the right to use the property.

## Fixing of Canadian Ownership Rate or Determination of Canadian Control Status

- 4. (1) The prescribed period referred to in paragraph 2(2)(a) of the Act is the period commencing January 1, 1981 and ending December 31, 1982.
- (2) No Canadian ownership rate of an applicant shall be fixed and no determination of whether or not an applicant is Canadian controlled shall be made in the circumstances referred to in paragraph 2(2)(a) of the Act in respect of an application for an incentive unless
  - (a) the application is received by the Minister on or before December 31, 1982; and
  - (b) the applicant certifies in the application that
    - (i) he has, pursuant to subsection 39(1) of the Canadian Ownership and Control Determination Act, received an acknowledgment of receipt of his application for a certificate but has not yet received his certificate, or
    - (ii) he is in the course of applying for his certificate and will do so at the earliest opportunity.
- (3) The Canadian ownership rate of an applicant fixed in the circumstances referred to in paragraph 2(2)(a) of the Act shall, where the applicant has made a certification referred to in subparagraph (2)(b)(i) of this section, be the Canadian ownership rate calculated by the applicant in his application for a certificate.
- (4) It is a term and condition of any incentive made to an applicant on the basis of his Canadian ownership rate having been fixed or his Canadian control status having been determined by the Minister under paragraph 2(2)(a) of the Act that, if the amount of the incentive exceeds the amount of the incentive that the applicant is entitled to receive, on the basis of his Canadian ownership rate or Canadian control status determined under the Canadian Ownership and Control Determination Act, the applicant is not entitled to the amount of the excess.
  - (5) For the purposes of paragraph 2(2)(b) of the Act,
  - (a) the "circumstances" referred to in that paragraph are any circumstances other than a transaction that is prescribed under the Canadian Ownership and Control Determination Act as being a "circumstance" referred to in paragraph 43(1)(b) of that Act; and
  - (b) the "extent" referred to in that paragraph is any extent.
- (6) The Canadian ownership rate fixed by the Minister in respect of an applicant in the circumstances described in paragraph 2(2)(b) of the Act (hereinafter in this section referred to as the "fixed rate"), shall be binding on the applicant for the purposes of the Act and these Regulations until and shall expire on
  - (a) subject to subsection (7), the day that is six months after the date the decline referred to in that paragraph first occurred, or

c) lorsque des coûts ou frais admissibles sont engagés à titre d'utilisation ou du droit d'utiliser des biens, autres que des droits sur le pétrole ou le gaz, les frais ou coûts admissibles sont réputés être engagés au cours de la période pendant laquelle les biens sont utilisés ou le droit d'utiliser les biens existe.

## Établissement du taux de la participation canadienne ou détermination de l'état de contrôle canadien

- 4. (1) La période visée à l'alinéa 2(2)a) de la Loi commence le 1<sup>er</sup> janvier 1981 et se termine le 31 décembre 1982.
- (2) Dans les cas prévus à l'alinéa 2(2)a) de la Loi, il est interdit d'établir le taux de participation canadienne du demandeur d'une subvention ou de déterminer son état de contrôle canadien à moins
  - a) que le Ministre n'ait reçu la demande au plus tard le 31 décembre 1982; et
  - b) que dans sa demande le demandeur ne déclare
  - (i) qu'il a reçu, en vertu du paragraphe 39(1) de la Loi sur la détermination de la participation et du contrôle canadiens l'attestation de réception de sa demande de certificat mais qu'il n'a pas encore reçu son certificat,
  - (ii) qu'il fera une demande de certificat dans les plus brefs délais.
- (3) Le taux de participation canadienne déterminé dans les cas prévus à l'alinéa 2(2)a) de la Loi est le taux de participation canadienne qu'aura calculé le demandeur dans sa demande de certificat lorsqu'il a fait la déclaration visée au sous-alinéa (2)b)(i).
- (4) Il est entendu que le demandeur n'a pas droit au montant excédentaire si le montant de la subvention versée au demandeur et fondée sur l'établissement du taux ou la détermination de l'état du contrôle en vertu de l'alinéa 2(2)a) de la Loi dépasse le montant auquel le demandeur a droit en se fondant sur un établissement du taux ou une détermination de l'état du contrôle en vertu de la Loi sur la détermination de la participation et du contrôle canadiens.
  - (5) Aux fins de l'alinéa 2(2)b) de la Loi,
  - a) les cas visés à cet alinéa sont tous les cas sauf les transactions qui, en vertu de la Loi sur la détermination de la participation et du contrôle canadiens, sont des «circonstances» visées à l'alinéa 43(1)b) de ladite loi;
  - b) la «mesure» visée à cet alinéa comporte toutes les mesures.
- (6) Le taux de participation canadienne qu'a établi le Ministre dans les cas prévus à l'alinéa 2(2)b) de la Loi (ci-après dans le présent article «taux établi») est, aux fins de la Loi et du présent règlement, obligatoire pour le demandeur. Cette obligation cesse à la première des dates suivantes:
  - a) sous réserve du paragraphe (7), six mois suivant le moment où la diminution visée audit alinéa s'est produite pour la première fois; ou

(b) the day on which the Canadian ownership rate of the applicant according to his certificate (hereinafter in this section referred to as the "real rate"), is equal to or greater than his fixed rate.

whichever first occurs.

- (7) The fixed rate of an applicant shall not expire on the day referred to in paragraph (6)(a) if,
  - (a) within the period referred to in that paragraph, the applicant has notified the Minister in writing that he reasonably believes that his real rate will be equal to or greater than his fixed rate within six months after the expiration of that period; and
  - (b) the real rate of the applicant is, in fact, equal to or greater than his fixed rate within one year after the decline referred to in paragraph 2(2)(b) of the Act.
- (8) For the purposes of paragraph 2(2)(c) of the Act, a prescribed person is any person who is a partner of
  - (a) an applicant that is a partnership; or
  - (b) any partnership that owns directly or indirectly, any interest in an applicant that is a partnership.

## Qualified Persons

- 5. (1) Subject to this section, every person is qualified to receive an incentive.
- (2) A person is not qualified to receive an incentive under section 4 of the Act in respect of an eligible cost or expense incurred while the person is exempt from the payment of tax on his taxable income under Part I of the *Income Tax Act* by virtue of paragraph 149(1)(a), (b), (c), (d), (e), (f), (h.1), (i), (f), (k), (l), (m), (n), (n), (v), (w) or (v) thereof.
- (3) Where, in respect of a partnership, no approval referred to in subsection 5(1) of the Act is in force, the only person qualified to receive an incentive in respect of an eligible cost or expense incurred by the partnership is the partnership.
- (4) Where, in respect of a partnership, an approval referred to in subsection 5(1) of the Act is in force, the only person qualified to receive an incentive in respect of an eligible cost or expense incurred by the partnership is a partner referred to in the approval.
- (5) The only person qualified to receive an incentive in respect of any eligible cost or expense incurred by a trustee in respect of a trust is the trustee.
- (6) Notwithstanding subsections (3) to (5), where an eligible expense is incurred by a person who, in relation that expense, is associated with a corporation as described in subsection 7(1), the only person qualified to receive the incentive in respect of that expense is the corporation on behalf of that person.

- b) la date à laquelle le taux (ci-après dans le présent article «taux réel») tel que décrit dans le certificat du demandeur est égal ou supérieur au taux établi.
- (7) Le taux établi ne prend pas fin le jour visé à l'alinéa (6)a) si engagées par une personne qui est, à l'égard de ces frais, associée à une société visée au paragraphe (7), la société est la seule personne qui a le droit de recevoir une subvention à l'égard de ces frais au nom de cette personne
  - a) le demandeur a donné au cours de la période visée dans cet alinéa un avis écrit au Ministre portant qu'il a raison de croire que, dans les six mois suivant cette période, son taux réel sera égal ou supérieur à son taux établi; et
  - b) le taux réel devient effectivement, dans l'année qui suit la diminution visée à l'alinéa 2(2)b) de la Loi, égal ou supérieur au taux établi.
  - (8) Aux fins de l'alinéa 2(2)c) de la Loi, l'associé
  - a) d'une société de personnes qui est demandeur, ou
  - b) d'une société de personnes qui possède, directement ou indirectement, une participation dans une société de personnes qui est demandeur

est une personne visée par règlement.

#### Avant droit

- 5. (1) Sous réserve du présent article, toute personne a le droit de recevoir une subvention.
- (3) La seule personne qui a le droit de recevoir une subvention en ce qui a trait aux coûts ou frais admissibles engagés par une société de personnes est la société si le Ministre n'a pas reconnu en vertu du paragraphe 5(1) de la Loi la qualité d'ayant droit à un associé.
- (4) La seule personne qui a le droit de recevoir une subvention en ce qui a trait aux coûts ou frais admissibles engagés par une société de personnes est l'associé qui a été reconnu en vertu du paragraphe 5(1) de la Loi comme ayant droit.
- (5) Le fiduciaire est la seule personne qui a le droit de recevoir une subvention en ce qui a trait aux coûts ou frais admissibles engagés par lui pour la fiducie.
- (6) Nonobstant les paragraphes (3) à (5), lorsque des frais admissibles sont engagées par une personne qui est, à l'égard des ces frais, associée à une société visée au paragraphe 7(1), la société est la seule personne qui a le droit de recevoir une subvention à l'égard de ces frais au nom de cette personne.

## Approval of Partners as Qualified Persons

- 6. (1) An approval of a partner of a partnership under subsection 5(1) of the Act may be given only where
  - (a) the partnership consists of not more than twelve partners; and
  - (b) an application for the approval has been received by the Minister from the partnership.
- (2) The incentive made to a partner of a partnership approved under subsection 5(1) of the Act shall be based on the allocation and adjustments referred to in that subsection.
- (3) A partnership in respect of which an approval has been given under subsection 5(1) of the Act shall forthwith notify the Minister in writing of any change in the number or identity of the partners thereof or in the rights, benefits or obligations of a partner thereof and of the date on which the change occurred.
- (4) An approval of a partner of a partnership under subsection 5(1) of the Act is effective from the date specified in the approval and shall cease to be in force
  - (a) subject to paragraphs (b) and (c), on the expiry date specified in the approval or determined in accordance with the terms and conditions of the approval;
  - (b) where the Minister receives a notice of a change as required by subsection (3) and is satisfied that, as a result of the change, the approval should cease to be in force, on the date specified in a notice in writing sent by the Minister to the partnership; or
  - (c) where a change described in subsection (3) occurs and notice of the change is not given as required by the subsection, on the date on which the change occurred.

#### Eligible Cost or Expense Incurred by Another Person

- 7. (1) Where a person incurs an expense pursuant to an agreement referred to in subparagraph 66.1(6)(a)(v) or 66.2(5)(a)(v) of the *Income Tax Act* between the person and a corporation referred to in that subparagraph, the person is, for the purpose of sections 3 and 4 of the Act, associated with the corporation to the extent that the expense is an eligible expense.
- (2) Where an approval of a partner of a partnership under subsection 5(1) of the Act is in force and the partnership incurs a cost or an expense, the partnership is, for the purpose of sections 3 and 4 of the Act, associated with the partner to the extent that the cost or expense is an eligible cost or expense.

#### Prescribed Interests

- 8. (1) The following interests are prescribed interests for the purpose of paragraph 4(b) of the Act:
  - (a) subject to paragraphs (b), (c) and (d), where an eligible expense is incurred in respect of a well, ownership of a working interest in respect of the lands containing the well;

## Associés reconnus à titre d'ayant droit

- 6. (1) L'associé d'une société de personnes ne peut être reconnu à titre d'ayant droit en vertu du paragraphe 5(1) de la Loi que si
- a) la société de personnes est composée d'au plus 12 associés; et
- b) une demande à cet effet a été tranmise au Ministre par la société de personnes.
- (2) Le montant d'une subvention versée à un associé d'une société de personnes approuvée en vertu du paragraphe 5(1) de la Loi est calculé en fonction des coûts ou frais répartis et rectifiés mentionnés dans ce paragraphe.
- (3) La société de personnes reconnue en vertu du paragraphe 5(1) de la Loi doit aviser le Ministre, par écrit, et dans les plus brefs délais, de tout changement dans le nombre ou l'identité de ses associés ou dans les droits, bénéfices ou obligations de tout associé de même que de la date à laquelle il est survenu.
- (4) La reconnaissance d'un associé d'une société de personnes à titre d'ayant droit qui est accordée en vertu du paragraphe 5(1) de la Loi est valide à compter de la date y mentionnée et prend fin
  - a) sous réserve des alinéas b) et c), à la date d'échéance précisée dans la reconnaissance ou déterminée conformément aux modalités de reconnaissance;
  - b) lorsque le Ministre reçoit un avis de changement, conformément au paragraphe (3) et est convaincu que la reconnaissance devrait être invalidée par suite de ce changement, à la date précisée dans l'avis écrit expédié par le Ministre à la société de personnes; ou
  - c) lorsqu'un changement décrit au paragraphe (3) survient et que l'avis de changement n'est pas donné, conformément audit paragraphe, à la date où ce changement survient.

#### Coûts ou frais admissibles engagés par une autre personne

- 7. (1) Lorsqu'une personne engage des frais conformément à une entente prévue au sous-alinéa 66.1(6)a)(v) ou 66.2(5)a)(v) de la Loi de l'impôt sur le revenu passée entre la personne et une société mentionnée dans ledit sous-alinéa, la personne est, aux fins des articles 3 et 4 de la Loi, associée à la société dans la mesure où les coûts ou frais sont admissibles.
- (2) Lorsque la reconnaissance d'un associé d'une société de personnes accordée en vertu du paragraphe 5(1) de la Loi est encore valide et que la société engage des coûts ou frais, la société de personnes est, aux fins des articles 3 et 4 de la Loi, associée à l'associé dans la mesure où les coûts ou frais sont admissibles.

#### Droits prévus par règlement

- 8. (1) Les droits suivants sont les droits prévus par règlement aux fins de l'alinéa 4b) de la Loi:
  - a) sous réserve des alinéas b), c) et d) lorsque des frais admissibles sont engagés en ce qui concerne un puits, la

- (b) where an eligible exploration expense is incurred in respect of a syndicated test well, ownership of a working interest in respect of any part of the tract that, at the commencement of drilling the well, is reasonably believed to contain the accumulation of oil or gas to be evaluated by the drilling;
- (c) where an eligible expense is incurred pursuant to a unit agreement, ownership of a working interest in respect of the unit tract to which the eligible expense is allocated under the unit agreement;
- (d) where an eligible exploration expense is incurred as a drilling contribution in respect of lands in Canada other than Canada lands, ownership of a working interest in respect of lands contiguous to the lands containing the well to which the expense pertains;
- (e) where an eligible asset cost is incurred, ownership of
  - (i) an operating interest in respect of the project to which the cost pertains, and
  - (ii) a working interest in respect of all or any part of the lands to which that project pertains; and
- (f) where an eligible exploration expense that is an expense described in subparagraph 66.1(6)(a)(iii.1) of the *Income Tax Act* is incurred in respect of a bituminous sands deposit, oil sands deposit or oil shale deposit, an undivided interest in the deposit.
- (2) For the purposes of paragraph 4(b) of the Act, an applicant is not required to have an interest referred to in that paragraph in respect of
  - (a) an eligible expense described in paragraph 32(1)(a), (b) or (c); or
  - (b) an eligible exploration expense incurred as a drilling contribution in respect of Canada lands.

## Eligible Asset Cost

- 9. (1) Subject to this section and section 12, an "eligible asset cost", for the purposes of the Act and these Regulations, is any cost incurred on or after January 1, 1981 that is a capital cost of tertiary recovery equipment used in a project.
- (2) Where tertiary recovery equipment is acquired or converted for use in a project that has not been certified by the Minister, the tertiary recovery equipment shall not, unless it is approved in writing by the Minister on such terms and conditions as he may impose, be considered as an asset for the purposes of the definition "eligible asset cost" in subsection 2(1) of the Act.
- (3) Tertiary recovery equipment that is a pipeline acquired or converted for use in a project shall not, unless it is approved in writing by the Minister on such terms and conditions as he may impose, be considered as an asset for the purposes of the definition "eligible asset cost" in subsection 2(1) of the Act.

- propriété des intérêts actifs dans les terres où est situé le puits;
- b) lorsque des frais d'exploration admissibles sont engagés en ce qui concerne un puits d'exploration en commun, la propriété d'un intérêt actif dans toute partie d'une parcelle qui, au début du forage du puits, est présumée contenir l'accumulation de pétrole et de gaz qui doit être évaluée au moyen du forage du puits;
- c) lorsque des frais admissibles sont engagés conformément à un accord d'union, la propriété d'un intérêt actif dans la parcelle unitaire à laquelle sont affectés les frais admissibles en vertu de l'accord d'union;
- d) lorsque des frais d'exploration admissibles sont engagés à titre de contribution aux frais de forage engagés dans des terres situées au Canada autres que les terres du Canada, la propriété d'un intérêt actif dans des terres contiguës aux terres où se trouve le puits auquel se rapportent les frais;
- e) lorsque des coûts admissibles d'un bien sont engagés, la propriété
  - (i) d'un intérêt dans l'exploitation du projet auquel se rapportent les coûts, et
  - (ii) d'un intérêt actif dans la totalité ou une partie des terres où est réalisé le projet; et
- f) lorsque des frais d'exploration admissibles définis au sous-alinéa 66.1(6)a)(iii.1) de la Loi de l'impôt sur le revenu sont engagés en ce qui concerne un gisement de sables bitumineux, de sables pétrolifères ou de schistes pétrolifères, une participation indivise dans le gisement.
- (2) Aux fins de l'alinéa 4b) de la Loi, un demandeur n'est pas tenu de détenir un droit mentionné dans cet alinéa relativement
  - a) à des frais admissibles établis aux alinéas 32(1)a), b) ou c); ou
  - b) à des frais d'exploration admissibles engagés à titre de contribution aux frais de forage dans les terres du Canada.

#### Coût admissible d'un bien

- 9. (1) Sous réserve du présent article et de l'article 12, l'expression «coût admissible d'un bien», aux fins de la Loi et du présent règlement, désigne tous les coûts engagés à compter du 1er janvier 1981 et qui représentent le coût en capital du matériel de récupération tertiaire.
- (2) Lorsque du matériel de récupération tertiaire est acquis ou transformé en vue d'être utilisé dans le cadre d'un projet qui n'a pas encore été certifié par le Ministre, le matériel de récupération tertiaire ne doit pas être considéré comme faisant partie des biens visés dans la définition de «coût admissible d'un bien» énoncée au paragraphe 2(1) de la Loi, sauf si le Ministre donne par écrit son approbation selon les modalités qu'il aura lui-même établies.
- (3) Du matériel de récupération tertiaire consistant en un pipeline qui a été acquis ou converti pour être utilisé dans un projet ne doit pas être considéré comme faisant partie de biens visés dans la définition de «coût admissible d'un bien» énoncée au paragraphe 2(1) de la Loi, sauf si le Ministre donne par écrit son approbation selon les modalités qu'il aura lui-même établies.

- (4) The cost of acquiring equipment or property that has been used by a person for any purpose prior to its use in the project to which it relates is not an eligible asset cost.
- (5) For the purposes of subsection (1), a cost incurred in converting equipment or property into tertiary recovery equipment for use in a project shall be considered to be a capital cost of the tertiary recovery equipment.

## Eligible Development Expense

- 10. (1) Subject to this section and section 12, an "eligible development expense", for the purposes of the Act and these Regulations, is an expense incurred on or after January 1, 1981 that is a Canadian development expense within the meaning of paragraph 66.2(5)(a) of the *Income Tax Act* if,
  - (a) that paragraph were read without subparagraphs (ii) to
  - (iv) thereof; and
  - (b) the reference in subparagraph (v) thereof to "any of subparagraphs (i) to (iii)" were read as a reference to "subparagraph (i) or (i.1)".
- (2) A Canadian exploration and development overhead expense is not an eligible development expense.
- (3) An expense described in clause 66.2(5)(a)(i)(A) of the *Income Tax Act* is not an eligible development expense if the principal purpose for which it is incurred is to produce income from service charges or fees.

## Eligible Exploration Expense

- 11. (1) Subject to this section and section 12, an "eligible exploration expense", for the purposes of the Act and these Regulations, is an expense incurred on or after January 1, 1981 that is a Canadian exploration expense within the meaning of paragraph 66.1(6)(a) of the *Income Tax Act* if,
  - (a) the reference in subparagraph (i) thereof to an "oil or gas well" were read as a reference to an "oil or gas well, other than an exploratory probe";
  - (b) the reference in subparagraph (ii) thereof to "1982" were read as a reference to "1983";
  - (c) the reference in subparagraphs (ii.1) and (ii.2) thereof to "1981" were read as a reference to "1982";
  - (d) the reference in subparagraphs (iii) and (iii.1) thereof to "a mineral resource" were read as a reference to "a bituminous sands deposit, oil sands deposit or oil shale deposit";
  - (e) the second reference in subparagraph (iii.1) thereof to "resource" were read as a reference to "deposit"; and
  - (f) that paragraph were read without subparagraph (iv) thereof.

- (4) Les coûts d'acquisition du matériel ou des biens qui ont été utilisés à toute autre fin avant son utilisation dans le projet auquel il se rapporte ne sont pas un coût admissible d'un bien.
- (5) Aux fins du paragraphe (1), lorsque des frais sont engagés pour la conversion de matériel ou de biens en matériel de récupération tertiaire pour être utilisé dans un projet, les frais ainsi engagés doivent être considérés comme des coûts en capital du matériel de récupération tertiaire.

## Frais d'aménagement admissibles

- 10. (1) Sous réserve du présent article et de l'article 12, l'expression «frais d'aménagement admissibles», aux fins de la Loi et du présent règlement, désigne tous les frais engagés à partir du 1<sup>er</sup> janvier 1981 et qui sont des frais d'aménagement au Canada selon le sens que lui donne l'alinéa 66.2(5)a) de la Loi de l'impôt sur le revenu si,
  - a) cet alinéa se lisait sans tenir compte des sous-alinéas (ii) à (iv);
  - b) la référence du sous-alinéa (v) à «l'un ou l'autre des sous-alinéas (i) à (iii)» se lisait comme une référence aux «sous-alinéas (i) et (i.1)».
- (2) Les frais généraux d'exploration et d'aménagement au Canada ne sont pas des frais d'aménagement admissibles.
- (3) Les frais décrits à la disposition 66.2(5)a)(i)(A) de la Loi de l'impôt sur le revenu ne sont pas des frais d'aménagement admissibles s'ils sont engagés principalement dans le but de générer des revenus de frais de service.

#### Frais d'exploration admissibles

- 11. (1) Sous réserve du présent article et de l'article 12, l'expression «frais d'exploration admissibles», aux fins de la Loi et du présent règlement, désigne tous les frais engagés à compter du 1er janvier 1981 et qui sont des frais d'exploration au Canada selon le sens que lui donne l'alinéa 66.1(6)a) de la Loi de l'impôt sur le revenu si,
  - a) la référence qui, au sous-alinéa (i), est faite à un «puits de pétrole ou de gaz» se lisait comme une référence à un «puits de pétrole ou de gaz au Canada, autre qu'un trou de sonde d'exploration»;
  - b) la référence qui, au sous-alinéa (ii), est faite à «1982» se lisait comme une référence à «1983»;
  - c) la référence qui, aux sous-alinéas (ii.1) et (ii.2), est faite à «1981» se lisait comme une référence à «1982»;
  - d) la référence qui, aux sous-alinéas (iii) et (iii.1), est faite à «une ressource minérale» se lisait comme une référence à «un gisement de sables bitumineux, de sables pétrolifères ou de schistes pétrolifères»;
  - e) la seconde référence du sous-alinéa (iii.1) à «ressource minérale» est interprétée comme une référence à «gisement minéral»; et
  - f) cet alinéa se lisait sans qu'il soit tenu compte du sousalinéa (iv).

- (2) A geological, geophysical or geochemical expense is not an eligible exploration expense to the extent that it pertains
  - (a) to a program that was carried out without the necessary approval of a government authority;
  - (b) to a program involving the re-processing, re-analysis or re-interpretation of basic geophysical information if the expense may reasonably be considered to have been incurred as consideration for the acquisition of the basic geophysical information:
  - (c) to the purchase of data
    - (i) that results, directly or indirectly, from a program that began prior to January 1, 1981,
    - (ii) that results from a program that did not produce new basic information,
    - (iii) from a person other than the person who conducted the program that gave rise to the data, or
    - (iv) that, at the time the expense is incurred, is available to the public from a government authority;
  - (d) to the purchase of data relating to Canada lands if the expense, plus the aggregate of
    - (i) the total purchase price paid for the data by persons who have previously filed with the Minister a notice in writing referred to in paragraph (5)(a) in respect of the purchase of the data, but who have not made application for an incentive in respect of the purchase, and
    - (ii) the eligible exploration expense incurred in respect of the purchase of the data or in respect of the program that gave rise to the data by persons who have previously made application for an incentive in respect of the eligible exploration expense,
  - exceeds the cost of the program that gave rise to the data; or (e) to the purchase of data relating to lands in Canada other than Canada lands, where
    - (i) the applicant has not filed a notice with the Minister to the effect that the applicant or a group of persons of which he is a member, is the first purchaser entitled to receive an incentive in respect of the purchase of the data, or
    - (ii) an incentive has previously been made to a person other than a member of a group referred to in subparagraph (i) in respect of any of the data or the program that gave rise to the data.
- (3) Subsection (2) does not apply in respect of an expense referred to therein that is a drilling contribution.
- (4) A notice referred to in subparagraph (2)(e)(i) shall be in Form PIP-12.
- (5) In the case of the purchase of data that relates to Canada lands,
  - (a) a person or group of persons who purchase the data may file with the Minister a notice in writing specifying, in respect of the purchase,
    - (i) the names of the purchaser and the vendor of the data,
    - (ii) the date of purchase of the data,

- (2) Les frais de travaux géophysiques, géologiques ou géochimiques ne sont pas des frais d'exploration admissibles, dans la mesure où ils se rapportent à:
  - a) un programme qui a été mené sans que l'autorité gouvernementale compétente ne l'approuve;
  - b) un programme comprenant un nouveau traitement, une nouvelle analyse ou une nouvelle interprétation des renseignements géophysiques de base, et peuvent raisonnablement être considérés comme ayant été engagés dans le but d'acquérir ces renseignements de base;
  - c) l'achat de données
    - (i) qui résultent, directement ou indirectement, d'un programme qui a commencé avant le 1er janvier 1981,
    - (ii) qui résultent d'un programme qui n'a permis de recueillir aucune nouvelle information de base,
    - (iii) d'une personne autre que la personne qui a mené le programme de cueillette des données, ou
    - (iv) qui, au moment où les frais sont engagés, peuvent être obtenues d'une autorité gouvernementale pour diffusion publique;
  - d) l'achat de données concernant des terres du Canada et dont le coût, plus le total
    - (i) du montant global versé pour l'achat des données par des personnes qui ont déjà envoyé au Ministre un avis écrit d'achat des données, tel que mentionné à l'alinéa (5)a), mais n'ont pas présenté de demande de subvention pour cet achat, et
    - (ii) des frais d'exploration admissibles engagés pour l'achat de données ou pour l'application du programme de cueillette des données par des personnes qui avaient déjà demandé une subvention visant ces frais admissibles,
- est supérieur au coût du programme de cueillette des données: ou
- e) l'achat de données concernant des terres situées au Canada autres que les terres du Canada,
  - (i) lorsque le demandeur n'a pas présenté, au Ministre, un avis indiquant que ce demandeur ou un groupe de personnes dont il est membre est le premier acheteur qui a le droit de recevoir une subvention visant ces données, ou
  - (ii) lorsqu'une subvention a déjà été versée à une personne autre qu'un membre du groupe mentionné au sous-alinéa
  - (i) en ce qui a trait à n'importe quelle des données en question ou au programme de cueillette des données.
- (3) Le paragraphe (2) ne s'applique pas aux frais visés à ce paragraphe qui constituent une contribution aux frais de forage.
- (4) L'avis mentionné au sous-alinéa (2)e)(i) doit être présenté sur la formule PESP-12.
- (5) S'il s'agit de l'achat de données qui ont trait à des terres du Canada,
- a) la personne ou le groupe de personnes qui achète les données doit présenter par écrit, au Ministre, un avis d'achat où sont précisés
  - (i) le nom de l'acheteur et du vendeur des données,
  - (ii) la date d'achat des données,

- (iii) the purchase price paid for the data by the purchaser and, in the case of a purchase by a group of persons, the share of the purchase price borne by the applicant,
- (iv) the authorization number, pursuant to the Canada Oil and Gas Land Regulations, of the program that gave rise to the data,
- (v) the type of program that gave rise to the data, and
- (vi) the date on which the program that gave rise to the data began; and
- (b) the date of receipt by the Minister of the notice described in paragraph (a) shall, for the purposes of an incentive in respect of the purchase of the data referred to therein, be used to determine the priority under paragraph (2)(d) of the purchaser who files the notice in respect of that data.
- (6) A Canadian exploration and development overhead expense is not an eligible exploration expense.

## Limitation of Eligible Cost or Expense

- 12. (1) A cost or expense is not an eligible cost or expense to the extent that
  - (a) at the time it is incurred, the person who incurs the cost or expense or the person who, but for this paragraph, would be eligible to receive an incentive in respect thereof,
    - (i) has received or has an absolute right to receive a reimbursement, compensation or other payment in respect of the cost or expense,
    - (ii) subject to subsection (5), has received or is eligible to receive a payment in respect of the cost or expense pursuant to a program described in Schedule III, or
    - (iii) has a contingent right to receive a reimbursement, compensation or other payment in respect of the cost or expense and subsequently becomes entitled thereto where
      - (A) the person who makes the reimbursement, compensation or other payment is eligible to receive an incentive in respect of all or any part thereof, or
      - (B) one of the principal reasons for the existence of the contingency may reasonably be considered to be the avoidance of the application of subparagraph (i);
  - (b) it is reimbursed by way of a drilling contribution to the person who incurs the cost or expense as a drilling contribution;
  - (c) it is incurred to acquire a working interest or an operating interest and constitutes a reimbursement of all or part of an expenditure previously incurred by a person from whom the interest is acquired;
  - (d) it is incurred in respect of an integrated oil sands project;
  - (e) it is an amount or expense described in paragraph 20(1)(c), (d) or (e) of the *Income Tax Act*;
  - (f) it is incurred in respect of scientific research as defined in section 2900 of the *Income Tax Regulations*;
  - (g) it is reimbursed under a policy of insurance;

- (iii) le prix payé par l'acheteur et, dans le cas d'un achat effectué par un groupe de personnes, la partie du prix d'achat déboursée par le demandeur,
- (iv) le numéro d'autorisation du programme de cueillette des données, conformément au Règlement sur les terres pétrolifères et gazifères du Canada,
- (v) la nature du programme de cueillette des données, et
- (vi) la date de démarrage du programme de cueillette des données; et
- b) la date à laquelle le Ministre a reçu l'avis mentionné à l'alinéa a) doit, aux fins de l'octroi d'une subvention visant l'achat des données, servir à déterminer la cote de priorité de l'acheteur qui donne l'avis, aux fins de l'alinéa (2)d).
- (6) Les frais généraux d'exploration et d'aménagement engagés au Canada ne sont pas des frais d'exploration admissibles.

## Limitation des coûts ou frais admissibles

- 12. (1) Les coûts ou frais ne sont pas des coûts ou frais admissibles dans la mesure où:
  - a) au moment où les coûts ou frais sont engagés, la personne qui engage ces coûts ou frais ou la personne ayant droit à recevoir une subvention qui, n'eût été du présent alinéa, pourrait être versée en rapport avec ces coûts ou frais
    - (i) a reçu ou a un droit absolu de recevoir un montant de remboursement, de compensation ou d'autre paiement, à l'égard des coûts ou frais,
    - (ii) sous réserve du paragraphe (5), a reçu ou a droit de recevoir un paiement à l'égard des coûts ou frais conformément à un programme décrit à l'annexe III, ou
    - (iii) dispose d'un droit conditionnel de recevoir un remboursement, une compensation ou un autre paiement, à l'égard des coûts ou frais et devient par la suite admissible à recevoir ce montant, si
      - (A) la personne qui verse le remboursement, la compensation ou le paiement est admissible à recevoir une subvention en ce qui concerne la totalité ou une partie de ces frais, ou
      - (B) une des principales raisons de l'existence de ce droit conditionnel peut raisonnablement être considérée comme un moyen d'éviter l'application du sous-alinéa (i):
  - b) on fait un remboursement sous forme d'une contribution aux frais de forage à la personne qui engage les coûts ou frais à titre de contribution aux coûts ou frais de forage;
  - c) les coûts ou frais sont engagés dans le but de gagner un intérêt actif ou un intérêt dans l'exploitation, et constitue un remboursement de la totalité ou d'une partie des frais déjà engagés par une personne de qui l'intérêt est gagné;
  - d) les frais sont engagés à l'égard d'un projet intégré de sables pétrolifères;
  - e) ce sont des coûts ou frais décrits à l'alinéa 20(1)c), d) ou
  - e) de la Loi de l'impôt sur le revenu;
  - f) ils sont engagés à l'égard de recherches scientifiques au sens de la définition donnée à l'article 2900 du Règlement de l'impôt sur le revenu;

- (h) it is unreasonable in the circumstances;
- (i) it is a payment to a person who does not deal at arm's length with
  - (i) the person making the payment, or
  - (ii) the person who, but for this paragraph, would be eligible to receive an incentive in respect thereof,
- and exceeds the fair market value of the property, use of property, right to the use of property or performance of service in respect of which the payment is made; or
- (j) it is a payment made pursuant to a unit agreement and constitutes a reimbursement for expenditures incurred in respect of the land that is subject to the agreement prior to the existence of the agreement.
- (2) For the purposes of paragraph (1)(a) where a person has transferred or assigned a right or an eligibility referred to in that paragraph, he is considered to have received the amount of the reimbursement, compensation or payment to which the right or eligibility relates.
- (3) The expression "reimbursement, compensation or other payment" in paragraph (1)(a) shall be read as not including
  - (a) any amount of assistance or benefit from a government, municipality or other public authority, whether as a grant, subsidy, forgivable loan, deduction from royalty or tax, investment allowance or any other form of assistance or benefit; or
  - (b) any penalty production or penalty working interest as defined in subsection 21(1).
- (4) The expression "integrated oil sands project" in paragraph (1)(d) means a scheme or operation for the recovery of crude bitumen from a bituminous sands deposit, oil sands deposit or oil shale deposit that is operated in conjunction with or as part of a scheme or operation for the processing of crude bitumen to obtain synthetic crude oil.
- (5) Where an election in Form PIP-16 has been made by a person, no amount of
  - (a) the approved expenditure credit bank of the person,
  - (b) the approved expenditure grant account of the person, or
  - (c) a credit issued to the person

under Part II of *The Oil and Gas Incentives Regulations*, 1978 of Saskatchewan shall be taken into account under subparagraph 12(1)(a)(ii) and any grant received by a person after 1980 under that Part shall be taken into account under that subparagraph and shall be considered to relate

- (d) firstly, to the approved expenditures under that Part incurred by the person after 1980 in the order in which they were incurred, and
- (e) secondly, to the approved expenditures under that Part incurred by the person before 1981.

- g) ils sont remboursés en vertu d'une police d'assurance;
- h) ils sont déraisonnables, compte tenu des circonstances;
- i) ils constituent un paiement à une personne qui a un lien de dépendance avec
  - (i) la personne qui effectue le paiement, ou
  - (ii) la personne ayant droit à recevoir une subvention qui, n'eût été du présent alinéa, pourrait être versée en rapport avec ces coûts ou frais
- et qui dépasse la juste valeur marchande des biens, de l'utilisation ou du droit d'utiliser les biens, ou de la prestation du service à l'égard desquels est fait le paiement; ou
- j) il s'agit d'un paiement effectué aux termes d'un accord d'union et les coûts ou frais représentent un remboursement des frais relatifs aux terres qui font l'objet de l'accord, engagés avant la signature de l'accord.
- (2) Aux fins de l'alinéa (1)a), lorsqu'une personne a transféré ou cédé un droit ou une admissibilité à un montant mentionné dans ce paragraphe, elle est réputée avoir reçu le montant, la compensation ou le paiement auquel se rapporte le droit ou l'admissibilité.
- (3) L'expression «remboursement, compensation ou autre paiement» mentionnée à l'alinéa (1)a) n'inclut pas
  - a) l'aide financière ou des prestations d'un gouvernement, d'une municipalité ou de toute autre autorité publique, soit sous forme de subvention, de subsides, de prêt à remboursement conditionnel, de déductions de redevance ou d'impôt, d'allocation d'investissement ou toute autre forme d'aide financière ou de prestation; ou
  - b) une production ou un intérêt actif frappé d'une pénalité, tel que défini au paragraphe 21(1).
- (4) L'expression «projet intégré de sables pétrolifères» mentionnée à l'alinéa (1)d) désigne une opération ou un projet dont l'objectif est d'extraire le bitume brut d'un gisement de sables bitumineux, de sables pétrolifères ou de schistes pétrolifères, exploité dans le cadre d'un projet ou d'une opération de traitement du bitume brut pour obtenir du pétrole brut synthétique, ou conjointement avec ce projet ou cette opération.
- (5) Lorsqu'un choix a été fait par une personne, selon la formule PESP-16, aucun montant
- a) de la banque de crédits de dépenses approuvées de la personne,
- b) du compte des dépenses de subventions approuvées de la personne, ou
- c) d'un crédit alloué à la personne,

en vertu de la Partie II du *The Oil and Gas Incentives Regulations*, 1978 de la province de la Saskatchewan n'est pris en considération dans l'application du sous-alinéa 12(1)a)(ii) et toute subvention reçue par une personne après 1980 en vertu de cette Partie est prise en considération dans l'application de ce sous-alinéa et est considérée comme étant relative

- d) premièrement, aux dépenses approuvées en vertu de cette Partie, engagées par la personne après 1980 selon l'ordre dans lequel elles ont été engagées, et
- e) deuxièmement, aux dépenses approuvées en vertu de cette Partie, engagées par la personne avant 1981.

- (6) An election referred to in subsection (5) may only be made by a person at the time of application for his first incentive to which an amount described in paragraph (5)(a), (b) or (c) is relevant.
- (7) It is a term and condition of an incentive made to a person on the basis of an election referred to in subsection (5) that the election shall be applicable to and binding on the person in respect of all applications by that person for incentives.

## Approval of the Minister

- 13. (1) For the purpose of subsection 5(2) of the Act, where the eligible expense incurred or to be incurred during a calendar year pursuant to any arrangement is such that the incentive in respect of that eligible expense could reasonably be foreseen to exceed \$100,000,000, a qualified person, in order to be entitled to an incentive under section 4 of the Act in respect of any eligible expense incurred in respect of that arrangement, shall be required to obtain the approval in writing of the Minister in respect of the arrangement.
- (2) Where an arrangement referred to in subsection (1) is entered into after the Act comes into force, the approval of the Minister shall be obtained prior to the arrangement being entered into.
- (3) The expression "arrangement" in subsections (1) and (2) means anything done pursuant to an agreement under which a person agrees or two or more persons not dealing at arm's length agree to incur an earning expense to earn a working interest from another person or from two or more other persons not dealing at arm's length where any of such persons, at the date of entering into the agreement, does not have a current certificate, has a Canadian ownership rate of less than 50% or is not Canadian controlled.
- (4) The expression "agreement" in subsection (3) includes any agreement, one of the reasons for the existence of which can reasonably be considered to be the avoidance of the requirement of an approval under subsection 5(2) of the Act.
- (5) No incentive under section 4 of the Act shall be made in respect of an eligible exploration expense incurred in respect of a syndicated test well unless the agreement pursuant to which the syndicated test well is drilled has been approved in writing by the Minister.

#### Application for Incentive

- 14. (1) Subject to this section, a qualified person shall, in respect of a fiscal period, make a separate application for an incentive either
  - (a) in respect of eligible costs or expenses incurred during each fiscal quarter of that fiscal period, in which case the application shall be made within six months following the end of such fiscal quarter; or
  - (b) in respect of eligible costs or expenses incurred during that fiscal period, in which case the application shall be made within one year after the end of that fiscal period.

- (6) Un choix tel qu'énoncé au paragraphe (5) ne peut être fait qu'au moment de la présentation de la première demande de subvention à laquelle se rapporte le montant décrit aux alinéas (5)a, b) ou c).
- (7) Il est convenu qu'une subvention versée à une personne selon le choix tel qu'énoncé au paragraphe (5) engage la personne et s'applique à toutes demandes de subventions de cette personne.

## Approbation d'une entente par le Ministre

- 13. (1) Aux fins du paragraphe 5(2) de la Loi, lorsqu'une entente est conclue relativement aux frais admissibles qui ont ou qui seront engagés, conformément à toute transaction, au cours de l'année civile et qu'il est raisonnable de prévoir une subvention afférente à ces frais pouvant dépasser \$100,000,000, un ayant droit qui veut se prévaloir d'une subvention en vertu de l'article 4 de la Loi, en ce qui concerne tous les frais engagés aux termes de l'entente, doit obtenir par écrit l'approbation du Ministre.
- (2) Lorsqu'une entente mentionnée au paragraphe (1) est conclue après l'entrée en vigueur de la Loi, l'approbation écrite du Ministre doit être obtenue avant que l'entente ne soit conclue.
- (3) L'expression «entente» mentionnée aux paragraphes (1) et (2) désigne tout ce qui est effectué en vertu d'un accord aux termes duquel une personne, ou deux personnes ou plus qui ont un lien de dépendance conviennent d'engager des frais liés à un intérêt actif à gagner afin d'acquérir un intérêt actif d'une autre personne, ou de deux autres personnes ou plus qui ont un lieu de dépendance, dont l'une, au moment de la signature de l'accord, n'a pas de certificat valide, a un taux de participation canadienne de moins de 50 pour cent ou n'est pas sous contrôle canadien.
- (4) L'expression «entente» mentionnée au paragraphe (3) s'entend de tout accord dont on peut supposer qu'il a été conclu afin d'éviter de demander l'approbation dont il est question au paragraphe 5(2) de la Loi.
- (5) Aucune subvention en vertu de l'article 4 de la Loi ne doit être versée en ce qui a trait à des frais d'exploration admissible engagés pour le forage d'un puits d'exploration en commun à moins que l'entente prévoyant le forage du puits d'exploration en commun soit approuvée par écrit par le Ministre.

## Demande de subvention

- 14. (1) Sous réserve du présent article, un ayant droit doit, au cours d'un exercice financier, présenter une demande distincte de subvention
  - a) soit en ce qui a trait aux coûts ou frais admissibles engagés au cours de chaque trimestre financier de cet exercice financier, auquel cas cette demande doit être présentée dans les six mois qui suivent la fin de ce trimestre financier:
  - b) soit en ce qui a trait aux coûts ou frais admissibles engagés au cours de cet exercice financier, auquel cas la demande doit être présentée dans l'année qui suit la fin de cet exercice financier.

- (2) Except in the case of an application in respect of the first fiscal quarter of a fiscal period, an application may not be made by a person under paragraph (1)(a) in respect of eligible costs or expenses incurred during a fiscal period unless the person has made an application under that paragraph in respect of the first fiscal quarter of that fiscal period.
- (3) An application for an incentive by a qualified person in respect of eligible costs or expenses incurred during a fiscal quarter or fiscal period that ends prior to the date on which the Act comes into force shall be made within one year after that date.
- (4) Where an application has been made in accordance with subsection (1) or (3) in respect of some but not all of the eligible costs or expenses incurred during a fiscal period or fiscal quarter, the applicant may make a separate, supplemental application in respect of the eligible costs or expenses for which no previous application has been made that were incurred during the fiscal period or fiscal quarter, as the case may be
  - (a) within two years following the end of the fiscal period during which the eligible costs or expenses were incurred, where the applicant originally made an application under subsection (1); or
  - (b) within two years following the day on which the Act comes into force, where the applicant originally made an application under subsection (2).
- (5) Subject to subsection (6), an application for an incentive shall be made in Form PIP-01.
- (6) An application for an incentive in respect of an eligible cost or expense to which subsection 31(1) does not apply by virtue of subsection 32(8) may be made in Form PIP-03.
- (7) Where a corporation has applied for an incentive, it shall, at the time of or after making the application, and, in any event, within one year after the end of the fiscal period in respect of which the incentive was applied for, send to the Minister a statement of reconciliation in Form PIP-08.
  - (8) Where
  - (a) a qualified person has applied for an extension of any time limit imposed under this section, and
  - (b) the Minister is satisfied that the time limit produces an inequitable result for the person and that the person has a reasonable and legitimate excuse for not having complied with the time limit,

the Minister shall extend the time limit for such period and on such terms as he considers necessary to alleviate the inequitable result.

(9) A waiver of an incentive referred to in subsection 11(1) of the Act shall be in Form PIP-11.

- (2) Une personne peut présenter une demande en vertu de l'alinéa (1)a) en ce qui concerne les coûts ou frais admissibles engagés pendant un exercice financier sauf si elle a présenté une demande en vertu de cet alinéa à l'égard du premier trimeste financier de cet exercice financier.
- (3) En ce qui concerne les coûts ou frais admissibles engagés au cours d'un trimestre financier ou d'un exercice financier qui se termine avant la date à laquelle la Loi entre en vigueur, un ayant droit doit présenter une demande de subvention dans l'année qui suit cette date.
- (4) Lorsqu'une demande a été présentée conformément aux paragraphes (1) ou (3) en ce qui concerne certains mais non pas la totalité des coûts ou frais admissibles engagés au cours d'un exercice ou d'un trimestre financier, le demandeur peut présenter une demande supplémentaire distincte en ce qui concerne les coûts ou frais admissibles à l'égard desquels aucune demande n'a déjà été présentée et qui ont été engagés au cours de l'exercice ou du trimestre financier, selon le cas,
- a) dans les deux ans suivant la fin de l'exercice financier au cours duquel les coûts ou frais admissibles ont été engagés, lorsque le demandeur a initialement présenté une demande en vertu du paragraphe (1); ou
- b) dans les deux ans qui suivent le jour où la Loi est entrée en vigueur si le demandeur a initialement présenté une demande en vertu du paragraphe (2).
- (5) Sous réserve du paragraphe (6), une demande de subvention doit être présentée sur la formule PESP-01.
- (6) Une demande de subvention en ce qui concerne les coûts ou frais admissibles auxquels le paragraphe 31(1) ne s'applique pas à cause du paragraphe 32(8), peut être présentée sur la formule PESP-03.
- (7) Lorsqu'une société a présenté une demande de subvention, elle doit, au moment de la présentation de la demande ou après et, de toute façon, dans l'année suivant la fin de l'exercice financier à l'égard duquel la demande a été présentée, envoyer au Ministre un redressement sur la formule PESP-08.
  - (8) Lorsque
  - a) un ayant droit a demandé de prolonger un délai, quel qu'il soit, imposé en vertu du présent article, et
  - b) que le Ministre croit que ce délai constitue une injustice pour la personne et que cette personne avait une excuse raisonnable et légitime de ne pas respecter le délai,
- le Ministre prolongera ce délai d'une durée et aux conditions qu'il juge nécessaires pour atténuer cette injustice.
- (9) Une renonciation au versement d'une subvention mentionnée au paragraphe 11(1) de la Loi doit être présentée sur la formule PESP-11.

## Evidence of Canadian Ownership Rate and Control Status

- 15. (1) Unless an applicant's Canadian ownership rate or Canadian control status is fixed or determined by the Minister pursuant to paragraph 2(2)(a) of the Act, an applicant for an incentive under section 4 of the Act shall submit with his application the number of his certificate that was in effect during the period in which the eligible cost or expense in respect of which the application is made was incurred.
- (2) Where an application for an incentive under section 4 of the Act is made by a person in respect of an eligible cost or expense incurred by him as a trustee in respect of a trust, he shall, unless his Canadian ownership rate or Canadian control status is fixed or determined by the Minister pursuant to paragraph 2(2)(a) of the Act, submit with the application the number of the certificate issued to him as trustee in respect of the trust that was in effect during the period in which the eligible cost or expense was incurred.

## Adjustments

- 16. (1) In this section, "adjustment" means a statement of adjustment in Form PIP-09.
- (2) Where a person becomes aware that he has received an incentive to which he is not entitled or in an amount in excess of the incentive to which he is entitled, he shall forthwith send an adjustment of the incentive to the Minister.
- (3) Subject to subsection (4), where a person receives an incentive in an amount less than the amount to which he is entitled, an adjustment of the incentive shall be sent to the Minister within four years after the end of the fiscal period during which the eligible cost or expense in respect of which the incentive was made was incurred.
- (4) Where a person receives an incentive in respect of an eligible development expense that becomes an eligible exploration expense by virtue of clause 66.1(6)(a)(ii)(B) or 66.1(6)(a)(ii.1)(B) of the Income Tax Act, any adjustment of the incentive may be sent to the Minister after the time limit set out in subsection (3), if it is sent within six months after the eligible development expense becomes an eligible exploration expense.
- (5) Where a person receives an incentive in respect of an eligible cost or expense to which an expense percentage, cost percentage, penalty expense percentage or tract expense percentage computed in accordance with Part II applies, the applicant shall forthwith, when all costs or expenses relevant to the computation of the percentage have been incurred, send to the Minister an adjustment of the incentive, if any, to which he is entitled on the basis of the costs or expenses actually incurred.
- (6) Where a person receives an incentive and has ceased to exist before he would be required or permitted to send an adjustment under this section, the adjustment shall or may be sent, as the case may be, to the Minister

## Preuve de la participation et de l'état de contrôle canadiens

- 15. (1) À moins que le taux de participation canadienne et l'état de contrôle canadien d'un demandeur soient établis ou déterminés par le Ministre conformément à l'alinéa 2(2)a) de la Loi, la personne qui demande une subvention en vertu de l'article 4 de la Loi doit, en même temps, fournir le numéro de son certificat qui était en vigueur pendant la période durant laquelle ont été engagés les coûts ou frais admissibles faisant l'objet de la demande.
- (2) Lorsqu'une demande de subvention est présentée par un fiduciaire en vertu de l'article 4 de la Loi en ce qui concerne des coûts ou frais admissibles engagés par lui pour la fiducie, il doit fournir, à moins que son taux de participation canadienne ou l'état de contrôle canadien soit établi ou déterminé par le Ministre conformément à l'alinéa 2(2)a) de la Loi, le numéro de certificat délivré en son nom en sa qualité de fiduciaire, valide pour la période durant laquelle ont été engagés les coûts ou frais admissibles faisant l'objet de la demande.

## Rectifications

- 16. (1) Dans le présent article «rectification» désigne une déclaration de rectification présentée sur la formule PESP-09.
- (2) Lorsqu'une personne sait qu'elle a reçu une subvention à laquelle elle n'a pas droit ou un montant plus élevé que celui auquel elle a droit, elle doit, le plutôt possible, envoyer au Ministre une rectification de la subvention.
- (3) Sous réserve du paragraphe (4), lorsqu'une personne a reçu une subvention d'un montant moins élevé que le montant auquel elle a droit, elle doit envoyer au Ministre une rectification de la subvention dans les quatre années qui suivent la fin de l'exercice financier au cours duquel ont été engagés les coûts ou frais admissibles qui ont donné lieu au versement de la subvention.
- (4) Lorsqu'une personne a reçu une subvention pour des frais d'aménagement admissibles qui sont convertis en frais d'exploration admissibles par l'application de la disposition 66.1(6)a)(ii)(B) ou 66.1(6)a)(ii.1)(B) de la Loi de l'impôt sur le revenu, elle peut envoyer au Ministre une rectification de la subvention, après le délai établi au paragraphe (3), si elle procède à la rectification dans les six mois après la conversion des frais d'aménagement admissibles en frais d'exploration admissibles.
- (5) Lorsqu'une personne a reçu une subvention à l'égard des coûts ou frais admissibles qui ont servi à calculer, conformément à la Partie II, le pourcentage des frais, des coûts, des frais frappés d'une pénalité ou celui des frais liés à une parcelle, le demandeur doit, une fois que tous les coûts ou frais qui ont servi au calcul du pourcentage sont engagés, envoyer au Ministre un versement de rectification du montant de la subvention, si subvention il y a eu, à laquelle il a droit, sur la base des coûts ou frais effectivement engagés.
- (6) Lorsqu'une personne a reçu une subvention et qu'elle a cessé d'exister avant la période où il devait ou pouvait procéder à une rectification en vertu du présent article, le versement de rectification doit ou peut être envoyé au Ministre par:

- (a) where the applicant is a deceased individual represented by a legal personal representative, by that representative; and
- (b) in any other case, by or on behalf of those persons who, at the time the adjustment may or shall be sent, are beneficially entitled to that portion of the estate of the applicant that includes the incentive.
- (7) Subsection 14(8) applies, with such modifications as the circumstances require, to an adjustment under this section.

#### Forecasts

- 17. (1) Subject to subsection (3), where a person has reason to believe that he will incur eligible costs or expenses in excess of \$500,000 in a fiscal period and that an application for an incentive in respect thereof will be made, he shall send to the Minister a forecast of the eligible costs or expenses in Form PIP-10.
- (2) A forecast required under subsection (1) shall be sent to the Minister on or before the date that is one month after the first day of the fiscal period to which it relates.
- (3) A forecast is not required in respect of any fiscal period that begins prior to the date on which the Act comes into force.

## Terms and Conditions of Incentives

- 18. (1) It is a term and condition of an incentive made to a corporation under section 4 of the Act that the corporation will not, within the ten years after the incentive is made, become exempt, pursuant to paragraph 149(1)(d) of the *Income Tax Act*, from the payment of tax on its taxable income under Part I of that Act.
- (2) It is a term and condition of any incentive that the incentive shall not be paid or appropriated in any manner whatever principally for the benefit of any person other than the applicant.
  - (3) Subsection (2) does not apply to
  - (a) a distribution of an incentive to a person by a trustee who has applied for and received the incentive as the trustee in respect of a trust of which the person is a beneficiary;
  - (b) a distribution of an incentive received by a partnership to persons who are partners of the partnership; or
  - (c) a payment or appropriation of an incentive where, at the time of the application on the basis of which the incentive was made, the person entitled to receive the incentive was under no legal obligation either immediately or in the future and either absolutely or contingently, to make the payment or appropriation.
- (4) Where an incentive is made to a corporation in respect of an eligible expense incurred by a person who, in relation to that expense, is associated with the corporation as described in subsection 7(1), it is a term and condition of the incentive that the corporation will remit the incentive to that person without undue delay.

- a) le représentant, lorsque le demandeur est un particulier défunt qui a un représentant personnel légal; et
- b) dans tous autre cas, les personnes qui, au moment où la rectification peut ou doit être faite, ont droit, à titre réel, à la portion de la succession du demandeur qui comprend la subvention.
- (7) Toute rectification effectuée en vertu du présent article est assujettie aux dispositions du paragraphe 14(8), compte tenu des adaptations de circonstance.

#### Prévisions

- 17. (1) Sous réserve du paragraphe (3), lorsqu'une personne a des raisons de croire que pendant un exercice financier, elle engagera des coûts ou frais admissibles de plus de \$500,000, et qu'elle présentera une demande de subvention à cet égard, elle doit envoyer au Ministre, sur la formule PESP-10, une prévision des coûts ou frais engagés.
- (2) Les prévisions requises en vertu du paragraphe (1) doivent être envoyées au Ministre au plus tard un mois après le premier jour de l'exercice financier auquel elles se rapportent.
- (3) Les prévisions ne sont pas requises à l'égard de tout exercice financier qui a commencé avant la date d'entrée en vigueur de la Loi.

#### Conditions régissant les subventions

- 18. (1) Il est conditionnel à toute subvention faite à une société en vertu de l'article 4 de la Loi que celle-ci ne soit pas, au cours des 10 années qui suivent l'accord de la subvention, exonérée, en vertu de l'alinéa 149(1)d) de la Loi de l'impôt sur le revenu, du paiement de l'impôt sur son revenu imposable en vertu de la Partie I de ladite Loi.
- (2) Il est conditionnel au versement de toute subvention que celle-ci ne soit pas versée ou affectée, de quelque façon que ce soit, pour servir surtout les intérêts de toute personne autre que le demandeur.
  - (3) Le paragraphe (2) ne s'applique pas à:
  - a) la distribution d'une subvention à une personne par un fiduciaire qui a demandé et reçu la subvention à titre de fiduciaire de cette personne;
  - b) la distribution d'une subvention, par une société de personnes, à des personnes qui sont des associés dans la société de personnes; ou
  - c) un paiement ou une affectation d'une subvention si, au moment où la demande en fonction de laquelle la subvention a été accordée, la personne qui avait droit de recevoir la subvention n'était pas tenue légalement, soit dans l'immédiat ou à l'avenir, de façon absolue ou aléatoire, de faire le paiement ou l'affectation.
- (4) Lorsqu'une subvention est accordée à une société à l'égard des frais admissibles engagés par une personne qui est, à l'égard des frais, associée à la société visée au paragraphe 7(1), il est conditionnel au versement de la subvention que la société remette la subvention à cette autre personne sans retards indus.

#### Interest

- 19. (1) The rate of interest on a debt due referred to in section 24 or subsection 30(3) of the Act shall be determined for each month or part of a month during which the debt is due and shall be equal to the rate per annum that is the aggregate of one per cent per annum and the average of the per annum prime lending rates in effect at the following banks on the third Wednesday of the preceding month:
  - (a) Bank of Montreal:
  - (b) The Bank of Nova Scotia:
  - (c) The Toronto-Dominion Bank:
  - (d) National Bank of Canada;
  - (e) Canadian Imperial Bank of Commerce; and
  - (f) The Royal Bank of Canada.
- (2) The rate determined under subsection (1) shall be rounded to the nearest one-eighth of one per cent or, if the result would be equidistant from two multiples of one-eighth of one per cent, to that multiple thereof that is the lower.

## Persons Who Have Ceased to Exist

- 20. (1) For the purpose of subsection 6(1) of the Act,
- (a) where a person, other than an individual or a corporation referred to in paragraph (b), has ceased to exist during the period that begins on January 1, 1981 and ends on the day the Act comes into force, the application for an incentive in respect of that person shall be made on or before December 31st, 1982;
- (b) where a corporation is deemed, under subsection 6(2) of the Act, to have ceased to exist as a result of an amalgamation, an application for an incentive in respect of that corporation shall be made within one year after the date of the amalgamation; and
- (c) where an individual has died, an application for an incentive in respect of that individual shall be made within one year following the date of his death.
- (2) Subsection 14(8) applies, with such modifications as the circumstances require, to an application for an incentive referred to in subsection 6(1) of the Act.

## PART II

#### ADJUSTED ELIGIBLE COST OR EXPENSE

#### Interpretation

- 21. (1) In this Part and in the schedules,
- "acquired development expense" means an eligible development expense incurred by a person in respect of a well, but does not include
  - (a) an earning development expense,
  - (b) a penalty expense, or
  - (c) internal overhead:
  - (frais d'aménagement acquis)
- "acquired exploration expense" means an eligible exploration expense incurred by a person in respect of a well, but does not include

#### Intérêts

- 19. (1) Le taux d'intérêt sur les dettes mentionnées à l'article 24 ou au paragraphe 30(3) de la Loi est calculé chaque mois ou portion de mois au cours duquel la dette est exigible et est égal au total de un pour cent par année et de la moyenne du taux préférentiel annuel en vigueur le troisième mercredi du mois précédent, dans les banques sujvantes:
  - a) la Banque de Montréal;
  - b) la Banque de Nouvelle-Écosse;
  - c) la Banque Toronto-Dominion;
  - d) la Banque nationale du Canada;
  - e) la Banque de Commerce canadienne impériale; et
  - f) la Banque royale du Canada.
- (2) Le taux calculé en vertu du paragraphe (1) est arrondi à un huitième de un pour cent ou, si le résultat est équidistant à deux multiples de un huitième de un pour cent, arrondi au multiple le plus bas.

## Personnes qui ont cessé d'exister

- 20. (1) Aux fins du paragraphe 6(1) de la Loi,
- a) lorsqu'une personne autre qu'un particulier ou une société mentionnés à l'alinéa b) a cessé d'exister au cours de la période commençant le 1er janvier 1981 et se terminant le jour d'entrée en vigueur de la Loi, la demande de subvention à l'égard de cette personne doit être faite au plus tard le 31 décembre 1982:
- b) lorsqu'une société est réputée, en vertu du paragraphe 6(2) de la Loi, avoir cessé d'exister à la suite d'une fusion, une demande de subvention à l'égard de la société doit être faite dans l'année qui suit la date de la fusion; et
- c) lorsqu'un particulier est décédé, une demande de subvention à son égard doit être faite dans l'année qui suit le décès.
- (2) Le paragraphe 14(8) s'applique, compte tenu des adaptations de circonstance, aux demandes de subvention mentionnées au paragraphe 6(1) de la Loi.

#### **PARTIE II**

#### COÛT OU FRAIS ADMISSIBLES RECTIFIÉS

## Définitions

- 21. (1) Les définitions qui suivent s'appliquent à la présente Partie et aux annexes.
- «détenteur approuvé» Par rapport à une autre personne, toute personne qui n'est pas décrite au paragraphe 5(2), qui est sous contrôle canadien et qui, en ce qui concerne un intérêt actif détenu ou des coûts ou frais admissibles engagés par l'autre personne,
  - a) sur des terres du Canada, a un taux de participation canadienne du même ordre que celui de l'autre personne ou supérieur à celui-ci; ou

- (a) an earning exploration expense,
- (b) a penalty expense, or
- (c) an expense referred to in susection 32(1);

(frais d'exploration acquis)

- "acquisition expenditure" means an expenditure incurred by a person that may reasonably be considered to be made in respect of or as consideration for, the acquisition of oil or gas rights, but does not include
  - (a) an eligible expense in respect of the lands to which the oil or gas rights pertain,
  - (b) an equipping expenditure, or
  - (c) a post-equipping expenditure;

(frais d'acquisition)

- "approved holder" in relation to another person, means a person, other than a person described in subsection 5(2), who is Canadian controlled and who, in respect of a working interest held or an eligible cost or expense incurred by the other person in respect of
  - (a) Canada lands, has a Canadian ownership rate within the same range as or a higher range than that other person, or
  - (b) lands in Canada other than Canada lands, has a Canadian ownership rate of 50% or greater;

(détenteur approuvé)

- "cost percentage" means the proportion, expressed as a percentage, that the eligible asset costs incurred by a person in respect of a project is of the total eligible asset costs incurred by all persons in respect of the project; (pourcentage des coûts)
- "drilling spacing unit" means a tract established for the drilling of a well in lands in Canada other than Canada lands, that is allocated to the well by or under a statute, regulation or the order of a government authority having jurisdiction over the drilling; (unité de forage)
- "earning development expense" means an eligible development expense incurred in respect of a well to earn oil or gas rights in respect of the lands containing the well, by a person who does not own oil or gas rights in respect of those lands, but does not include
  - (a) a penalty expense, or
  - (b) internal overhead;

(frais d'aménagement liés à un intérêt à gagner)

- "earning exploration expense" means an eligible exploration expense in respect of a well incurred to earn oil or gas rights in respect of the lands containing the well, by a person who does not own oil or gas rights in respect of those lands, but does not include
  - (a) a penalty expense, or
  - (b) an expense referred to in subsection 32(1);

(frais d'exploration liés à un intérêt à gagner)

- "equipping expenditure" means an expenditure in respect of equipping a well including an expenditure in respect of
  - (a) the pump or other artificial lift equipment,
  - (b) flow lines,
  - (c) production tankage, or

b) sur des terres situées au Canada qui ne sont pas des terres du Canada, affiche un taux de participation canadienne de 50 pour cent ou plus.

(approved holder)

«facteur de réduction» Un pourcentage déterminé conformément à l'article 25. (reduction factor)

- «facteur de répartition parcellaire des frais» Un pourcentage établi en vertu d'un accord d'union et utilisé pour allouer à une parcelle unitaire des frais admissibles liés ou attribuables à l'extraction de pétrole ou de gaz de l'unité. (expense tract factor)
- «facteur de répartition parcellaire de la production» Un pourcentage déterminé conformément à un accord d'union et utilisé afin d'allouer à une unité parcellaire le pétrole ou le gaz qui est extrait de l'unité.(production tract factor)
- «frais d'acquisition» Les frais engagés par une personne qu'il est raisonnable de considérer comme s'ils avaient été engagés pour l'acquisition d'un droit sur le pétrole ou le gaz ou en contrepartie de cette acquisition, mais ne s'entend pas
  - a) des frais admissibles en ce qui concerne des terres auxquelles se rapporte le droit sur le pétrole ou le gaz;
  - b) des frais d'équipement; ou
  - c) des frais postérieurs à l'équipement.

(acquisition expenditure)

- «frais d'aménagement acquis» Les frais d'aménagement admissibles qui sont engagés par une personne, à l'égard d'un puits, mais ne s'entend pas
  - a) des frais d'aménagement liés à un intérêt à gagner;
  - b) des frais frappés d'une pénalité; et
  - c) des frais généraux internes.

(acquired development expense)

- «frais d'aménagement frappés d'une pénalité» Les frais d'aménagement admissibles qui sont des frais frappés d'une pénalité. (penalty development expense)
- «frais d'aménagement liés à un intérêt à gagner» Les frais d'aménagement admissibles engagés à l'égard d'un puits pour l'acquisition d'un droit sur le pétrole ou le gaz à l'égard des terres où est situé ce puits, par une personne qui ne possède pas déjà ce droit mais ne s'entend pas
  - a) des frais frappés d'une pénalité; ou
  - b) des frais généraux internes.

(earning development expense)

- «frais de maintien de la propriété des droits» Les frais engagés par une personne à Sa Majesté ou au propriétaire exclusif de droits sur le pétrole ou le gaz afin de maintenir ou de préserver la propriété des droits sur le pétrole ou le gaz. (maintenance expenditure)
- «frais d'équipement» Les coûts assumés pour équiper un puits, y compris les coûts
  - a) de la pompe ou de tout autre dispositif de déplacement des fluides.
  - b) des conduits d'écoulement,
  - c) de la mise en réservoir de la production, ou

(d) a compressor, heater, dehydrator or other facility for the initial treatment of the oil or gas recovered from the well to prepare it for transportation from the well,

but not including an eligible cost or expense, a cost or expense that would be an eligible cost or expense but for section 12, a cost of borrowing capital or a Canadian exploration and development overhead expense; (frais d'équipement)

"equipping expenditure percentage" means a percentage determined in accordance with subsection (4) in respect of equipping expenditures that pertain to a well; (pourcentage des frais d'équipement)

"expense percentage" means a percentage determined in accordance with section 22 in respect of an eligible expense that pertains to a well; (pourcentage des frais)

"expense tract factor" means a percentage established pursuant to a unit agreement and used for the purpose of allocating to a unit tract eligible expenses associated with or attributable to the recovery of oil or gas from a unit; (facteur de répartition parcellaire des frais)

"internal overhead" means an eligible expense, other than a geological, geophysical or geochemical expense, incurred directly by a person, that cannot reasonably be allocated to a particular well, bituminous sands deposit, oil sands deposit or oil shale deposit; (frais généraux internes)

"maintenance expenditure" means any expenditure incurred by a person to Her Majesty or a freehold owner of oil or gas rights that is in respect of or as consideration for the maintenance or preservation of the ownership of oil or gas rights; (frais de maintien de la propriété des droits)

"minimum land block" means, in respect of

(a) an eligible exploration expense, a tract comprising,

(i) in the Central Canada Area, Bay of Fundy Area, St. Lawrence Estuary Area or in Canada lands, other than Canada lands referred to in subparagraph (ii) or (iii), 18000 hectares.

- (ii) in the Mackenzie Valley and Yukon Territory Area, 8000 hectares,
- (iii) in the Liard Area, 4000 hectares,
- (iv) in the Foothills Area or Western Area, 512 hectares,
- (v) in the Northern Area, Lloydminster Area or Plains Area, 128 hectares,
- (vi) in the Lake Erie Area or Eastern Area, 256 hectares, and
- (vii) in the Southwestern Ontario Area, 81 hectares, and
- (b) an eligible development expense, a tract comprising
  - (i) in Canada lands, one Section, within the meaning of section 7 of the Canada Oil and Gas Land Regulations, and

sauf les coûts ou frais admissibles, les coûts ou frais qui seraient admissibles n'eût été de l'article 12, les coûts d'emprunt de capital ou les dépenses générales d'aménagement et d'exploration au Canada. (equipping expenditures)

«frais d'exploration acquis» Les frais d'exploration admissibles qui sont engagés par une personne à l'égard d'un puits mais ne s'entend pas

a) des frais d'exploration liés à un intérêt à gagner;

b) des frais frappés d'une pénalité; et

c) des frais d'exploration admissibles visés au paragraphe 32(1).

(acquired exploration expense)

«frais d'exploration frappés d'une pénalité» Les frais d'exploration admissibles qui sont des frais frappés d'une pénalité. (penalty exploration expense)

«frais d'exploration liés à un intérêt à gagner» Les frais d'exploration admissibles engagés à l'égard d'un puits pour l'acquisition d'un droit sur le pétrole ou le gaz à l'égard des terres où est situé ce puits, par une personne qui ne possède pas déjà ces droits, à l'exclusion

a) des frais frappés d'une pénalité; ou

b) des frais d'exploration admissibles visés au paragraphe 32(1).

(earning exploration expense)

«frais frappés d'une pénalité» Les frais admissibles engagés par une personne en ce qui concerne des travaux liés au puits qui auraient été engagés par une autre personne si celle-ci n'était pas un tiers non participant aux travaux. (penalty expense)

«frais généraux internes» Les frais admissibles, autres que des frais de travaux géologiques, géophysiques ou géochimiques, engagés directement par une personne et qui ne peuvent pas raisonnablement être affectés à un puits donné, un gisement de sables bitumineux, un gisement de sables pétrolifères ou un gisement de schistes bitumineux. (internal overhead)

«frais postérieurs à l'équipement» Les frais à l'égard de l'exploitation d'un puits ou pour le transport, le raffinage, le traitement ou la vente du pétrole ou du gaz et tous les frais à l'égard de la récupération ou l'écoulement du pétrole ou du gaz extrait d'un puits, à l'exclusion

a) des coûts ou frais admissibles ou des coûts ou frais qui seraient admissibles n'eût été de l'article 12;

b) des frais d'équipement;

c) des frais de maintien de la propriété des droits;

d) des frais d'emprunt de capital; ou

e) des frais généraux d'exploration et d'aménagement au Canada.

(post-equipping expenditure)

«intérêt actif frappé d'une pénalité» L'intérêt actif dans une superficie frappée d'une pénalité qu'une personne a acquis ou acquerra d'un tiers non participant parce qu'elle a engagé des frais frappés d'une pénalité. (penalty working interest)

«pourcentage de la production frappée d'une pénalité» La proportion, en pourcentage, que représentent, par rapport aux frais frappés d'une pénalité, les revenus nets de la disposition de la production frappée d'une pénalité qu'une personne a le droit de recevoir parce qu'elle a engagé des

(ii) in lands in Canada other than Canada lands, a drilling spacing unit, if one has been established, and in any other case 64 hectares;

(superficie minimale)

- "net working interest land area" means a land area described in section 27
  - (a) in which an applicant owns a working interest in respect of at least one zone underlying each portion of the land area, and
  - (b) in which each portion of the land area adjoins at least one other portion of the land area at a common point or line:

(superficie visée par un intérêt actif net)

- "net working interest percentage" means a percentage determined in accordance with section 24; (pourcentage d'intérêt actif net)
- "non-participating party" means, in respect of any operation relating to a well including the drilling, completion, deepening, plugging back, whipstocking, re-completing or reworking of the well, an owner of a working interest in respect of lands in which the well is drilled who
  - (a) is a party to an agreement relating to operations for the recovery of oil or gas from the lands, and
  - (b) does not participate in the operation;

(tiers non participant)

- "operating interest percentage" means, subject to section 26, the proportion, expressed as a percentage, that the operating interest that a person owns in respect of a project is of the operating interest owned by all persons in respect of the project; (pourcentage d'intérêt dans l'exploitation)
- "penalty development expense" means an eligible development expense that is a penalty expense; (frais d'aménagement frappés d'une pénalité)
- "penalty expense" means an eligible expense incurred by a person in respect of an operation relating to a well that would have been incurred by another person if that other person were not a non-participating party in respect of the operation; (frais frappés d'une pénalité)
- "penalty expense percentage" means a percentage determined in accordance with subsection 22(4) in respect of the penalty expense that pertains to a well; (pourcentage des frais frappés d'une pénalité)
- "penalty exploration expense" means an eligible exploration expense that is a penalty expense; (frais d'exploration frappés d'une pénalité)
- "penalty land area" means a land area described in section 28
  - (a) in which a person acquires a penalty working interest in respect of at least one zone underlying each portion of the land area, and
  - (b) in which each portion of the land area adjoins at least one other portion of the land area at a common point or line:

(superficie frappée d'une pénalité)

"penalty net working interest percentage" means the net working interest percentage of a person determined in respect of a penalty land area as if the only working interest that the person owns in respect of the penalty land area is the

- frais frappés d'une pénalité en ce qui concerne le puits d'où provient la production frappée d'une pénalité. (penalty production percentage)
- «pourcentage des coûts» La proportion, en pourcentage, que représente le coût admissible d'un bien assumé par une personne en ce qui concerne un projet, par rapport au total des coûts admissibles d'un bien assumé par toutes les personnes en ce qui concerne ledit projet. (cost percentage)
- «pourcentage des frais» Un pourcentage établi conformément à l'article 22 en ce qui concerne les dépenses admissibles relatives à un puits. (expense percentage)
- «pourcentage des frais d'équipement» Un pourcentage établi conformément au paragraphe (4) en ce qui concerne les frais d'équipement relatifs à un puits. (equipping expenditure percentage)
- «pourcentage des frais d'une parcelle» Le rapport, en pourcentage, que représentent les frais admissibles engagés par une personne à l'égard d'une unité parcellaire, par rapport au total des frais admissibles alloués à cette unité en vertu d'un accord d'union. (tract expense percentage)
- «pourcentage des frais frappés d'une pénalité» Un pourcentage déterminé conformément au paragraphe 22(4) en ce qui a trait aux frais frappés d'une pénalité qui se rapportent à un puits. (penalty expense percentage)
- «pourcentage des frais postérieurs à l'équipement» Le pourcentage des frais postérieurs à l'équipement relatifs à un puits, déterminé conformément au paragraphe (4). (post-equipping expenditure percentage)
- «pourcentage d'intérêt actif» Sous réserve de l'article 23, la proportion, en pourcentage, que représente l'intérêt actif que possède une personne dans une parcelle, une zone, le pétrole ou le gaz, par rapport à l'intérêt actif que possèdent toutes personnes dans la parcelle, la zone, le pétrole ou le gaz, selon le cas. (working interest percentage)
- «pourcentage d'intérêt actif net» Un pourcentage déterminé conformément à l'article 24. (net working interest percentage)
- «pourcentage d'intérêt actif net frappé d'une pénalité» Le pourcentage d'intérêt actif net détenu par une personne qui est déterminé pour une superficie frappée d'une pénalité comme si l'intérêt actif que possède la personne pour la superficie frappée d'une pénalité est l'intérêt actif frappé d'une pénalité qu'il gagne du fait qu'il engage des frais frappés d'une pénalité à l'égard du puits. (penalty net working interest percentage)
- \*pourcentage d'intérêt dans l'exploitation» Sous réserve de l'article 26, la proportion, en pourcentage, que représente l'intérêt dans l'exploitation que possède une personne dans un projet, par rapport à l'intérêt dans l'exploitation que possèdent toutes les personnes en ce qui concerne le projet. (operating interest percentage)
- «production frappée d'une pénalité» La quantité de pétrole ou de gaz extraite d'un puits qu'une personne qui engage des frais frappés d'une pénalité a le droit de conserver à l'exclusion d'un tiers non participant ou de toute personne ayant un lien de dépendance avec un tiers non participant, si
  - a) la personne qui engage les frais frappés d'une pénalité possède un intérêt actif dans les terres où est situé le puits;

penalty working interest that he earns by virtue of the penalty expense that he incurs in respect of the well; (pourcentage d'intérêt actif net frappé d'une pénalité)

"penalty production" means the amount of the oil or gas first recovered from a well, if any, that a person who incurs a penalty expense in respect of the well is entitled to retain to the exclusion of a non-participating party or any person not dealing at arm's length with a non-participating party if

- (a) the person who incurs the penalty expense owns a working interest in respect of the lands containing the well.
- (b) the well is completed for the recovery of oil or gas, and
- (c) the persons who incur any penalty expense in respect of the well are entitled to retain possession of the well and all oil or gas recovered from the well until the proceeds of the disposition of the oil or gas are equal to an amount determined by reference to expenditures incurred in respect of the well or the recovery of the oil or gas;

(production frappée d'une pénalité)

- "penalty production percentage" means the proportion, expressed as a percentage, that the net proceeds of the disposition of penalty production that a person is entitled to receive by virtue of having incurred a penalty expense in respect of the well from which the penalty production is obtained is of the amount of the penalty expense; (pourcentage de la production frappée d'une pénalité)
- "penalty working interest" means the working interest acquired or to be acquired by a person in respect of a penalty land area from a non-participating party by virtue of incurring a penalty expense; (intérêt actif frappé d'une pénalité)
- "post-equipping expenditure" means an expenditure in respect of operating a well, transporting, refining, processing or selling oil or gas recovered from the well or any other expenditure in respect of the recovery or disposition of oil or gas so recovered but does not include
  - (a) an eligible cost or expense or any cost or expense that, but for section 12, would be an eligible cost or expense,
  - (b) an equipping expenditure,
  - (c) a maintenance expenditure,
  - (d) a cost of borrowing capital, or
  - (e) a Canadian exploration and development overhead expense;

(frais postérieurs à l'équipement)

- "post-equipping expenditure percentage" means a percentage determined in accordance with subsection (4) in respect of the post-equipping expenditure that pertains to a well; (pourcentage des frais postérieurs à l'équipement)
- "production tract factor" means a percentage established pursuant to a unit agreement and used for the purpose of allocating to a unit tract oil or gas recovered from the unit; (facteur de répartition parcellaire de la production)
- "range", in respect of a Canadian ownership rate, means a range of Canadian ownership rates described in section 10 of the Act; (tranche)

- b) le puits est achevé pour l'extraction de pétrole ou de gaz; et
- c) les personnes qui engagent les frais frappés d'une pénalité en ce qui concerne le puits ont le droit de rester en possession dudit puits et de tout le pétrole ou le gaz extraits du puits jusqu'à ce que les recettes tirées de l'aliénation de ce pétrole ou gaz égalent un montant déterminé en fonction des frais engagés dans le puits ou dans l'extraction du pétrole ou du gaz.

(penalty production)

- «superficie frappée d'une pénalité» Une superficie décrite à l'article 28
  - a) dans laquelle une personne gagne un intérêt actif frappé d'une pénalité dans au moins une zone sous-jacente à chaque portion de ladite superficie; et
  - b) dans laquelle chaque portion de ladite superficie touche à au moins une autre portion, à un point commun ou le long d'une ligne commune. (penalty land area)

«superficie minimale» En ce qui concerne

- a) des frais d'exploration admissibles, une parcelle comprenant
  - (i) 18 000 hectares dans la région du Canada central, dans la région de la baie de Fundy, dans la région de l'estuaire du Saint-Laurent ou dans les terres du Canada, autres que les terres mentionnées au sous-alinéa (ii) ou (iii),
  - (ii) 8 000 hectares dans la région de la vallée du Mackenzie et du Yukon,
  - (iii) 4 000 hectares dans la région de la rivière Liard,
  - (iv) 512 hectares dans la région des avants-monts et de l'Ouest.
  - (v) 128 hectares dans la région du Nord, dans la région de Lloydminster ou dans la région des Plaines,
  - (vi) 256 hectares dans la région du lac Erié ou dans la région de l'Est, et
- (vii) 81 hectares dans la région du sud-ouest de l'Ontario; et
- b) des frais d'aménagement admissibles, une parcelle comprenant
- (i) une section des terres du Canada, au sens de l'article 7 du Règlement sur les terres pétrolifères et gazifères du Canada, et
- (ii) une unité de forage s'il y en a une et dans tous les autres cas 64 hectares de terres situées au Canada, mais qui ne sont pas des terres du Canada, ne faisant pas partie d'une unité de forage.

(minimum land block)

- «superficie visée par un intérêt actif net» Une superficie décrite à l'article 27
  - a) dans laquelle le demandeur possède un intérêt actif dans au moins une zone sous-jacente à chaque portion de ladite superficie; et
  - b) dans laquelle chaque portion de ladite superficie touche à au moins une autre portion, à un point commun ou le long d'une ligne commune.

(net working interest land area)

"reduction factor" means a percentage determined in accordance with section 25; (facteur de réduction)

"tract expense percentage" means the proportion, expressed as a percentage, that the eligible expense incurred by a person in respect of a unit tract is of the total eligible expense allocated to the unit tract pursuant to a unit agreement; (pourcentage des frais d'une parcelle)

"working interest percentage" means, subject to section 23, the proportion, expressed as a percentage, that the working interest that a person owns in respect of any tract, zone or oil or gas is of the working interest owned by all persons in respect of the tract, zone or the oil or gas, as the case may be; (pourcentage d'intérêt actif)

"zone" means an area of land, delimited by a stratum or sequence of strata, forming part of the subsurface of a tract. (zone)

- (2) The land areas named in the definition "minimum land block" in subsection (1) are the areas of land described in Schedule IV.
- (3) For the purpose of the definition "penalty production percentage" in subsection (1), "the net proceeds of the disposition of penalty production" referred to in that definition are the gross proceeds of the disposition of penalty production less any
  - (a) equipping expenditure,
  - (b) post-equipping expenditure,
  - (c) freehold lessor's royalty, or
  - (d) payment to an owner of a net interest or a gross interest or to Her Majesty as a lessor of oil or gas rights,

that is associated with or attributable to the production from the relevant well and that, other than in the case of penalty production, would be borne by a non-participating party.

- (4) For the purposes of adjusting an eligible cost or expense pursuant to this Part,
  - (a) an applicant shall determine, in respect of a well, the proportion, expressed as a percentage, that the equipping expenditure or post-equipping expenditure that has been incurred or is by agreement to be incurred in relation to the applicant in respect of each identifiable item of equipping expenditure or post-equipping expenditure, as the case may be, is of that item of equipping expenditure or post-equipping expenditure;
  - (b) the equipping expenditure percentage of an applicant for a well at any particular time shall be the highest percentage determined at that time under paragraph (a) in respect of equipping expenditures incurred in relation to the applicant in respect of that well; and

- «tiers non participant» À l'égard des travaux liés à un puits, y compris le forage, l'achèvement, l'approfondissement, l'obturation, la déviation, le réachèvement ou le reconditionnement du puits, un propriétaire d'un intérêt actif dans des terres où est foré un puits, qui
  - a) est partie à un accord relatif aux travaux d'extraction du pétrole ou du gaz des terres; et
  - b) ne participe pas aux travaux.

(non-participating party)

- «tranche» Relativement au taux de participation canadienne, la tranche du taux de participation canadienne mentionnée à l'article 10 de la Loi. (range)
- «unité de forage» Une parcelle qui est établie pour le forage d'un puits sur des terres situées au Canada, mais qui ne sont pas des terres du Canada et qui est allouée au puits aux termes ou en vertu d'une loi, d'un règlement ou d'un décret ou d'une ordonnance d'une instance gouvernementale dont la compétence s'étend au forage dudit puits. (drilling spacing unit)
- «zone» Une superficie délimitée par une couche ou succession de couches qui forme une partie du sous-sol d'une parcelle. (zone)
- (2) Les superficies mentionnées au paragraphe (1) de la définition de «superficie minimale» désignent celles qui sont décrites à l'annexe IV.
- (3) Aux fins de la définition de «pourcentage de la production frappée d'une pénalité» au paragraphe (1), les «revenus nets de l'aliénation de la production frappée d'une pénalité» visés dans cette définition désignent les revenus bruts de l'aliénation de la production frappée d'une pénalité, moins
  - a) les frais d'équipement,
  - b) les frais postérieurs à l'équipement,
  - c) les redevances de locateur de terres libres de toute servitude, et
  - d) tout paiement versé à un propriétaire d'un intérêt net ou brut ou à Sa Majesté à titre de locateur d'un droit sur le pétrole ou le gaz,

qui sont associés ou attribués à la production récupérée du puits pertinent et lesquels, sauf dans le cas de production frappée d'une pénalité, auraient été engagés par un tiers non participant.

- (4) Aux fins de la rectification, conformément à la présente Partie, des coûts ou frais admissibles,
  - a) un demandeur doit déterminer le pourcentage des frais d'équipement ou des frais postérieurs à l'équipement qu'il a engagés ou consenti à engager en vertu d'un accord dans les postes identifiables de frais d'équipement d'un puits ou postérieurs à son équipement, selon le cas, en fonction de chacun de ces postes;
  - b) le pourcentage des frais d'équipement engagés à une date donnée par le demandeur dans un puits est toujours le pourcentage le plus élevé de frais d'équipement que le demandeur a engagés dans ce puits à cette date, lequel est alors déterminé conformément à l'alinéa a);

- (c) the post-equipping expenditure percentage of an applicant for a well at any particular time shall be the highest percentage determined at that time under paragraph (a) in respect of post-equipping expenditures incurred in relation to the applicant in respect of that well.
- (5) An agreement referred to in paragraph 25(2)(a), subsection 32(6) or paragraph 35(1)(a) shall cease to be an agreement for the purposes of that paragraph or subsection, as the case may be, where, since the date referred to in that paragraph or subsection,
  - (a) the parties thereto have changed; or
  - (b) the agreement has been amended to vary materially the rights, benefits or obligations thereunder of the person in respect of whose eligible cost or expense an incentive is applied for.
- (6) In applying the expression "eligible asset cost", as interpreted by section 9, to the definition "cost percentage" in subsection (1) of this section, the expression shall be read as including costs that, but for subparagraph 12(1)(a)(ii) or paragraph 12(1)(b), (h) or (i) or the fact that they were incurred prior to 1981, would be eligible asset costs for the purposes of Part I.
- (7) In applying the expression "eligible development expense", as interpreted by section 10, or "eligible exploration expense", as interpreted by section 11, to
  - (a) the definition "acquired development expense", "acquired exploration expense", "earning development expense", "earning exploration expense", "penalty development expense" or "penalty exploration expense" in subsection (1) of this section, or
  - (b) section 22,

the expression shall be read

- (c) as including
  - (i) where subsection 35(2) applies, the amount that would have been determined for the purposes of that subsection under subsection 35(3), if subsection 35(3) were read without reference to subparagraph 35(3)(a)(ii), and
  - (ii) an expense that, but for
    - (A) subparagraph 12(1)(a)(ii), paragraph 12(1)(b), (h) or (i),
    - (B) the fact that it is a Canadian exploration and development overhead expense described in paragraph (d) of item 1 of Schedule V, or
    - (C) the fact that it was incurred prior to 1981,

would be an eligible exploration expense or eligible development expense, as the case may be, for the purposes of Part I, and

- (d) as excluding expenses described in clause 66.2(5)(a)(i)(A), (C) or (D) of the *Income Tax Act*.
- (8) For the purposes of the definition "working interest percentage" in subsection (1), the expression "working interest owned by all persons in respect of the tract" shall be read as not including a Crown share or any share held on behalf of

- c) le pourcentage des frais postérieurs à l'équipement engagés à une date donnée par le demandeur dans un puits est toujours le pourcentage le plus élevé des frais postérieurs à l'équipement que le demandeur a engagés dans ce puits à cette date, lequel est alors déterminé conformément à l'alinéa a).
- (5) Un accord tel que mentionné à l'alinéa 25(2)a), au paragraphe 32(6) ou à l'alinéa 35(1)a) cesse d'être un accord aux fins du paragraphe ou de l'alinéa en question lorsque, à la date mentionnée dans le paragraphe ou l'alinéa, selon le cas,
  - a) les parties à cet accord ont changé; ou
  - b) l'accord a été modifié pour changer substantiellement les droits, bénéfices ou obligations de la personne dont les coûts ou frais admissibles font l'objet de la demande de subvention.
- (6) Lorsqu'elle est appliquée à la définition du «pourcentage des coûts» au paragraphe (1), l'expression «coût admissible d'un bien», telle qu'interprétée à l'article 9, comprend les coûts qui, n'eussent été le sous-alinéa 12(1)a)(ii), l'alinéa 12(1)b), h) ou i) ou le fait qu'ils ont été engagés avant 1981, auraient été un coût admissible d'un bien aux fins de la Partie I.
  - (7) Lorsqu'elle est appliquée
  - a) aux définitions de «frais d'aménagement acquis», «frais d'exploration acquis», «frais d'exploration liés à un intérêt à gagner», «frais d'aménagement liés à un intérêt gagner», «frais d'exploration frappés d'une pénalité», «frais d'aménagement frappés d'une pénalité» données au paragraphe (1), ou
  - b) à l'article 22,

l'expression «frais d'aménagement admissibles», telle qu'interprétée à l'article 10, ou «frais d'exploration admissibles», telle qu'interprétée à l'article 11, comprendra

- c) lorsque
  - (i) le paragraphe 35(2) s'applique, le montant qui aurait été déterminé, aux fins de ce paragraphe, conformément au paragraphe 35(3) si ce dernier était lu sans tenir compte du sous-alinéa 35(3)a)(ii), et
  - (ii) les frais qui, n'eussent été
    - (A) le sous-alinéa 12(1)a)(ii), l'alinéa 12(1)b), h) ou i),
    - (B) le fait que des frais généraux d'exploration et d'aménagement au Canada sont décrits à l'alinéa d) de l'article 1 de l'annexe V, ou
    - (C) le fait qu'ils ont été engagés avant 1981,

seraient des frais d'exploration admissibles ou des frais d'aménagement admissibles, selon le cas, aux fins de la Partie I, et

- d) excluera les frais décrits à la disposition 66.2(5)a)(i)(A), (C) ou (D) de la Loi de l'impôt sur le revenu.
- (8) Au sens de la définition du «pourcentage d'intérêt actif» donnée au paragraphe (1), l'intérêt actif que possèdent toutes personnes dans la parcelle visée ne comprend pas une part de la Couronne ou toute autre part détenue au nom de Sa

Her Majesty in right of Canada under subsection 23(3) or paragraph 55(2)(b) of the Canada Oil and Gas Act.

- (9) Where a corporation makes an application for an incentive in respect of an eligible expense incurred by another person in the circumstances referred to in subsection 7(1), the eligible expense shall, for the purposes of these Regulations, be considered to have been incurred by the corporation.
- (10) Where an application for an incentive is made before all the costs or expenses relevant to the determination of any cost percentage, expense percentage, penalty expense percentage or tract expense percentage, as the case may be, have been incurred, the determination may, subject to subsection 16(5), be made on the basis of
  - (a) the relevant costs or expenses incurred by any person to the date of the application; and
  - (b) a reasonable estimate by the applicant of his share of the relevant costs or expenses to be incurred.

## Expense Percentage and Penalty Expense Percentage Determination

- 22. (1) An applicant shall, for the purposes of adjusting an eligible expense, determine, in respect of a well, an expense percentage for each eligible expense incurred in respect of the well that is
  - (a) an acquired development expense;
  - (b) an acquired exploration expense;
  - (c) an earning development expense;
  - (d) an earning exploration expense;
  - (e) a penalty development expense; and
  - (f) a penalty exploration expense.
  - (2) The expense percentage of an applicant shall be
  - (a) for an acquired development expense in respect of a well for which the applicant has an earning expense, the proportion, expressed as a percentage, that the applicant's acquired development expense in respect of the well is of the total eligible development expense incurred by all persons in respect of the well after the oil or gas rights to which the earning expense pertains have been earned by the applicant;
  - (b) for an acquired development expense in respect of a well for which the applicant has no earning expense, the proportion, expressed as a percentage, that the applicant's acquired development expense in respect of the well is of the total eligible development expense incurred by all persons in respect of that well;
  - (c) for an acquired exploration expense in respect of a well for which the applicant has an earning expense, the proportion, expressed as a percentage, that the applicant's acquired exploration expense in respect of the well is of the total eligible exploration expense incurred by all persons in respect of the well after the oil or gas rights to which the earning expense pertains have been earned by the applicant;
  - (d) for an acquired exploration expense in respect of a well for which the applicant has no earning expense, the proportion, expressed as a percentage, that the applicant's acquired

Majesté du chef du Canada aux termes du paragraphe 23(3) ou de l'alinéa 55(2)b) de la Loi sur le pétrole et le gaz naturel du Canada.

- (9) Lorsque, en vertu du paragraphe 7(1), une société présente une demande de subvention en ce qui concerne les frais admissibles engagés par une autre personne, les frais admissibles sont, aux fins du présent règlement, réputés avoir été engagés par la société.
- (10) Lorsqu'une demande de subvention est présentée avant que tous les coûts ou frais concernant le calcul d'un pourcentage des coûts, d'un pourcentage des frais, d'un pourcentage des frais frappés d'une pénalité ou d'un pourcentage des frais d'une parcelle, selon le cas, n'aient été engagés, ce calcul peut, sous réserve du paragraphe 16(5) être effectué en tenant compte
  - a) de tous les coûts ou frais pertinents qui ont été engagés par toute personne à la date de la demande; et
  - b) d'une évaluation raisonnable, établie par le demandeur, de sa part des coûts ou frais pertinents à engager.

## Détermination du pourcentage des frais et du pourcentage des frais frappés d'une pénalité

- 22. (1) Aux fins de rectification des frais admissibles, un demandeur doit déterminer, en ce qui concerne un puits, un pourcentage des frais pour chaque catégorie de frais admissibles engagés dans ce puits qui sont
  - a) des frais d'aménagement acquis;
  - b) des frais d'exploration acquis;
  - c) des frais d'aménagement liés à un intérêt à gagner;
  - d) des frais d'exploration liés à un intérêt à gagner;
  - e) des frais d'aménagement frappés d'une pénalité; et
  - f) des frais d'exploration frappés d'une pénalité.
- (2) Le pourcentage des frais d'un demandeur est calculé comme suit:
  - a) dans le cas de frais d'aménagement acquis en ce qui concerne un puits dans lequel le demandeur a engagé des frais liés à un intérêt à gagner, la proportion, en pourcentage, des frais d'aménagement acquis qui ont été engagés par le demandeur dans ce puits, par rapport à tous les frais d'aménagement admissibles engagés par toute personne dans ce puits après l'acquisition, par le demandeur, de droits sur le pétrole ou le gaz auxquels ont trait les frais liés à l'intérêt actif à gagner;
  - b) dans le cas de frais d'aménagement acquis, en ce qui concerne un puits dans lesquel le demandeur n'a pas engagé de frais liés à l'intérêt actif à gagner, la proportion, en pourcentage, des frais d'aménagement acquis qui ont été engagés par le demandeur dans ce puits, par rapport à tous les frais d'aménagement admissibles engagés par toute pçrsonne dans ce puits;
  - c) dans le cas de frais d'exploration acquis, en ce qui concerne un puits dans lequel le demandeur a engagé des frais liés à l'intérêt actif à gagner, la proportion, en pourcentage, des frais d'exploration acquis qu'a engagés le demandeur dans ce puits, par rapport à tous les frais d'exploration admissibles qui ont été engagés dans ce puits par toute

exploration expense in respect of the well is of the total eligible exploration expense incurred by all persons in respect of that well;

- (e) for an earning development expense, the proportion, expressed as a percentage, that the applicant's earning development expense in respect of the well is of the total eligible development expense incurred by all persons in respect of the well before the oil or gas rights to which the earning development expense pertains have been earned by the applicant; and
- (f) for an earning exploration expense, the proportion, expressed as a percentage, that the applicant's earning exploration expense in respect of the well is of the total eligible exploration expense incurred by all persons in respect of the well before the oil or gas rights to which the earning exploration expense pertains have been earned by the applicant.

- (3) An expense percentage shall be determined without regard to subsection 2(3).
- (4) The penalty expense percentage of an applicant in respect of a well shall be
  - (a) in respect of a penalty exploration expense, the proportion, expressed as a percentage, that the applicant's penalty exploration expense in respect of the operations to which it pertains is of the total eligible exploration expense incurred by all persons in respect of those operations; and
  - (b) in respect of a penalty development expense, the proportion, expressed as a percentage, that the applicant's penalty development expense in respect of the operations to which it pertains is of the total eligible development expense incurred by all persons in respect of those operations.

### Working Interest Percentage Determination

- 23. (1) Subject to subsections (3) to (5), where the working interest of an applicant in respect of a net working interest land area or penalty land area varies between or excludes tracts, zones or oil or gas, a separate working interest percentage shall be determined for the working interest in respect of each tract and zone within the relevant land area and in respect of both the oil and the gas.
- (2) For the purposes of subsection (1), the working interest percentage for the working interest of an applicant in respect of a zone or substance excluded from the working interest is zero.
- (3) For the purposes of subsection (1), a zone that is excluded from the working interest of an applicant in respect of a net working interest land area shall not be taken into

personne après l'acquisition, par le demandeur, de droits sur le pétrole ou le gaz sur lesquels portent les frais liés à l'intérêt actif à gagner;

- d) dans le cas de frais d'exploration acquis, en ce qui concerne un puits dans lequel le demandeur n'a pas engagé de frais liés à l'intérêt actif à gagner, la proportion, en pourcentage, des frais d'exploration acquis qui ont été engagés dans le puits par le demandeur, par rapport à tous les frais d'exploration admissibles engagés par toute personne dans ce puits;
- e) dans le cas de frais d'aménagement liés à un intérêt à gagner, la proportion, en pourcentage, de ces frais que le demandeur a engagés dans ce puits, par rapport à tous les frais d'aménagement admissibles qui ont été engagés dans ce puits par toute personne avant l'acquisition, par le demandeur, de droits sur le pétrole ou le gaz sur lesquels portent les frais d'aménagement liés à un intérêt à gagner; et f) dans le cas de frais d'exploration liés à un intérêt à gagner, la proportion, en pourcentage, de ces frais qu'a engagés le demandeur dans un puits, par rapport à tous les frais d'exploration admissibles qui ont été engagés dans ce puits par toute personne avant l'acquisition, par le demandeur, de droits sur le pétrole ou le gaz sur lesquels portent les frais d'exploration liés à l'intérêt à gagner.
- (3) Le pourcentage des frais est calculé sans tenir compte du paragraphe 2(3).
- (4) Le pourcentage des frais frappés d'une pénalité d'un demandeur à l'égard d'un puits est
  - a) dans le cas de frais d'exploration frappés d'une pénalité, la proportion, en pourcentage, de ces frais qu'a engagés le demandeur, par rapport à tous les frais d'exploration admissibles qui ont été engagés par toute personne dans les travaux qui entraînent ces frais d'exploration frappés d'une pénalité; et
  - b) dans le cas de frais d'aménagement frappés d'une pénalité, la proportion, en pourcentage, de ces frais qu'a engagés le demandeur, par rapport à tous les frais d'aménagement admissibles qui ont été engagés par toute personne dans les travaux qui entraînent les frais d'aménagement frappés d'une pénalité.

### Calcul du pourcentage d'intérêt actif

- 23. (1) Sous réserve des paragraphes (3) à (5), lorsque l'intérêt actif d'un demandeur dans une superficie visée par un intérêt actif net ou une superficie frappée d'une pénalité varie en fonction de la parcelle, de la zone ou de la présence de pétrole ou de gaz, ou exclut un de ces éléments, un pourcentage d'intérêt actif distinct est calculé pour l'intérêt actif de chaque parcelle ou zone de la superficie visée et en ce qui concerne le pétrole ou le gaz présent.
- (2) Aux fins du paragraphe (1), le pourcentage d'intérêt actif d'un demandeur en ce qui concerne une zone ou une substance exclue de l'intérêt actif est égal à zéro.
- (3) Aux fins du paragraphe (1), il ne sera pas tenu compte dans le calcul du pourcentage d'intérêt actif d'une zone exclue

consideration in determining a working interest percentage where

- (a) the oil or gas rights in respect of the excluded zone are retained by Her Majesty or a freehold owner;
- (b) prior to the applicant entering into the agreement pursuant to which ownership of the working interest is or will be acquired, it was reasonable to believe that the excluded zone was capable of production in commercial quantities; or
- (c) the base of the excluded zone is below the depth
  - (i) to which a well has been drilled, if drilling of the well has been completed, or
  - (ii) to which a well is to be drilled pursuant to an agreement, if drilling of the well has not been completed.
- (4) Paragraph (3)(c) does not apply in respect of well situated on Canada lands where, if drilling of the well
  - (a) has been completed, the well has been drilled to a depth of 4000 metres or more; or
  - (b) has not been completed, the well is, pursuant to an agreement, to be drilled to a depth of 4000 metres or more.
- (5) For the purposes of subsection (1), oil and gas that is excluded from a working interest in a tract or zone shall not be taken into consideration in determining a working interest percentage where
  - (a) the other substance is included in the working interest in respect of the same tract or zone, as the case may be; and
  - (b) the oil or gas rights in respect of the excluded substance are retained by Her Maiesty or a freehold owner.
- (6) Where at the time an eligible expense is incurred in respect of which a working interest percentage determination is relevant, a right exists by contract, equity or otherwise, either immediately or in the future and either absolutely or contingently, that would, if exercised, reduce the working interest percentage, the working interest percentage shall be determined as if the right had been exercised.
  - (7) Subsection (6) does not apply in respect of a right that
  - (a) is created by statute, regulation or order of a government authority having jurisdiction in that regard;
  - (b) is a right of first refusal that provides for an exercise price equivalent to fair market value at the time the right is exercised;
  - (c) is contingent on an event that is not reasonably expected to occur or on circumstances beyond the control of any person, other than the owner of the working interest to which the right pertains;
  - (d) arises from a security interest; or
  - (e) is owned by a person who is an approved holder in relation to the owner of the working interest to which the right pertains.
- (8) Notwithstanding paragraph (7)(c) or (d), subsection (6) applies in respect of a right created under an agreement pursuant to which the owner acquired the working interest to which the right pertains unless the right is exercisable at a price equivalent to fair market value at the time it is exercised.

- de l'intérêt actif d'un demandeur en ce qui concerne une superficie visée par un intérêt actif net lorsque
  - a) des droits sur le pétrole ou le gaz relatifs à la zone exclue sont détenus par Sa Majesté ou par un propriétaire exclusif;
  - b) avant la signature, par le demandeur, de l'accord aux termes duquel la propriété de l'intérêt actif est ou sera gagnée, il est raisonnable de croire que la zone exclue pouvait produire en quantités commercialisables; ou
  - c) la profondeur de la zone exclue est supérieure
    - (i) à la profondeur d'un puits foré, lorsque le forage du puits est terminé, ou
  - (ii) à la profondeur à laquelle il a été convenu de forer, si le forage n'est pas terminé.
- (4) L'alinéa (3)c) ne s'applique pas dans le cas d'un puits situé dans les terres du Canada lorsque
  - a) le puits a été foré à une profondeur de 4 000 mètres ou plus si le forage du puits est terminé; ou
- b) le puits sera foré conformément à un accord, à une profondeur de 4 000 mètres ou plus, si le forage n'est pas terminé.
- (5) Aux fins du paragraphe (1), il ne sera pas tenu compte dans le calcul du pétrole ou du gaz exclu d'un intérêt actif dans une parcelle ou zone particulière, lorsque
- a) l'autre substance est comprise dans l'intérêt actif ayant trait à la même parcelle ou zone, le cas échéant; et
- b) les droits sur le pétrole ou le gaz sont détenus par Sa Majesté ou par un propriétaire exclusif.
- (6) Lorsque, au moment où sont engagés des frais admissibles auxquels s'applique le calcul du pourcentage d'intérêt actif, un droit existe, en vertu d'un contrat, d'un statut, d'un droit ou autrement, immédiatement ou à l'avenir et de façon absolue ou aléatoire, dont l'exercice réduirait le pourcentage d'intérêt actif, le pourcentage d'intérêt actif est calculé comme si ce droit avait été exercé.
- (7) Le paragraphe (6) ne s'applique pas en ce qui concerne un droit qui
  - a) résulte d'un statut, d'un règlement ou d'un décret ou une ordonnance d'une autorité gouvernementale compétente;
  - b) est un droit de premier refus qui stipule un prix d'exercice équivalent à la juste valeur marchande au moment de l'exercice du droit;
  - c) dépend d'un événement aléatoire ou de circonstances indépendantes de la volonté de toute personne, autre que le propriétaire de l'intérêt actif auquel le droit se rapporte;
  - d) résulte d'un droit détenu en garantie; ou
  - e) appartient à un détenteur approuvé par rapport au propriétaire de l'intérêt actif auquel le droit se rapporte.
- (8) Nonobstant l'alinéa (7)c) ou d), le paragraphe (6) s'applique à tout droit établi en vertu d'un accord aux termes duquel le propriétaire a acquis l'intérêt actif qui fait l'objet du droit, à moins que l'exercice du droit ne puisse avoir lieu qu'à un prix équivalent à sa juste valeur marchande au moment de son exercice.

(9) The expression "agreement" in subsection (8) includes any agreement one of the reasons for the existence of which can reasonably be considered to be the avoidance of the application of that subsection.

### Net Working Interest Percentage Determination

- 24. (1) Subject to this section, the net working interest percentage in respect of the working interest of an applicant in a net working interest land area or penalty land area is the lowest of the products obtained by multiplying each working interest percentage in respect of that working interest by the percentage remaining after all reduction factors, if any, that relate to that part of the working interest to which the determination of the working interest percentage pertains are subtracted from 100%.
- (2) Where a right exists either immediately or in the future and either absolutely or contingently, to convert a net interest or gross interest charged against all or part of a working interest to which the determination of a net working interest percentage pertains, other than a net interest or gross interest described in paragraph 25(2)(a) or (b), to a working interest, the net working interest percentage determined under subsection (1) in respect of the working interest shall be equal to the lesser of
  - (a) the net working interest percentage determined under subsection (1) if
    - (i) in determining the relevant working interest percentage under section 23, the conversion right in respect of the net interest or gross interest was a right to which subsection 23(6) applies, and
    - (ii) the reduction factor determined under section 25 for the net interest or gross interest was zero;
- and
  (b) the net working interest percentage determined under subsection (1) if
  - (i) in determining the relevant working interest percentage under section 23, the conversion right in respect of the net interest or gross interest was a right to which subsection 23(6) does not apply, and
  - (ii) the reduction factor in respect of the net interest or gross interest was determined under section 25 without regard to the conversion right.
- (3) The net working interest percentage in respect of the working interest of an applicant in a unit tract is the lowest of the products obtained by multiplying each working interest percentage of the applicant in respect of the unit tract zone that is subject to the agreement by the percentage remaining after all reduction factors, if any, relating to such zone are subtracted from 100%.
- (4) In determining a net working interest percentage for the purposes of section 33, a reduction factor attributable to a net interest or gross interest shall be taken into account only if the net interest or gross interest is owned by the owner of a working interest in the relevant net working interest land area or by a person who does not deal at arm's length with that owner.

(9) Le mot «accord» au paragraphe (8) s'entend de tout accord dont l'un des buts peut raisonnablement être réputé d'éviter que ledit paragraphe s'applique.

### Calcul du pourcentage d'intérêt actif net

- 24. (1) Sous réserve du présent article, le pourcentage d'intérêt actif net, en ce qui concerne un intérêt actif d'un demandeur dans une superficie visée par un intérêt actif net ou une superficie frappée d'une pénalité, est le plus petit des produits obtenus en multipliant chaque pourcentage d'intérêt actif relatif à cet intérêt actif dans la superficie par le pourcentage qui reste après avoir soustrait de 100 pour cent tous les facteurs de réduction, le cas échéant, liés à la partie de l'intérêt actif à laquelle s'applique le calcul du pourcentage d'intérêt actif.
- (2) Lorsqu'il existe soit immédiatement ou à l'avenir et de façon absolue ou aléatoire, un droit de conversion en un intérêt actif d'un intérêt net ou brut, autre qu'un intérêt net ou brut décrit à l'alinéa 25(2)a) ou b), imputé sur une partie ou la totalité de l'intérêt actif auquel se rapporte le calcul du pourcentage d'intérêt actif, le pourcentage d'intérêt actif net dans l'intérêt actif, déterminé en vertu dudit paragraphe (1), est égal au moindre
  - a) du pourcentage d'intérêt actif net déterminé en vertu du paragraphe (1) si
  - (i) aux fins de la détermination du pourcentage d'intérêt actif pertinent en vertu de l'article 23, le droit de conversion de l'intérêt net ou brut est réputé être un droit auquel le paragraphe 23(6) s'applique, et
  - (ii) le facteur de réduction relatif à l'intérêt brut ou net, déterminé en vertu de l'article 25, est réputé nul,

et

- b) du pourcentage d'intérêt actif net déterminé en vertu du paragraphe (1) si
  - (i) aux fins de la détermination du pourcentage d'intérêt actif pertinent en vertu de l'article 23, le droit de conversion de l'intérêt net ou brut était un droit auquel le paragraphe 23(6) ne s'applique pas, et
  - (ii) le facteur de réduction relatif à l'intérêt net ou brut a été déterminé en vertu de l'article 25 sans tenir compte du droit de conversion.
- (3) Le pourcentage d'intérêt actif net, en ce qui concerne un intérêt actif d'un demandeur dans une parcelle unitaire, est le plus petit des produits obtenus en multipliant chaque pourcentage d'intérêt actif du demandeur relatif à la zone de parcelle unitaire qui fait l'objet de l'accord par le pourcentage qui reste après avoir soustrait de 100 pour cent tous les facteurs de réduction, le cas échéant, liés à cette zone.
- (4) Pour déterminer le pourcentage d'intérêt actif net aux fins de l'article 33, un facteur de réduction attribuable à un intérêt net ou brut doit être pris en compte seulement si l'intérêt net ou brut appartient à un propriétaire d'un intérêt actif dans la superficie pertinente visée par un intérêt actif net ou à une personne ayant un lien de dépendance avec ce propriétaire.

### Reduction Factors

- 25. (1) Subject to subsection (2), a reduction factor in respect of each working interest percentage determined under subsection 23(1) shall be determined for each net interest or gross interest charged against all or part of the working interest to which the determination of the working interest percentage pertains.
- (2) No reduction factor shall be determined in respect of a net interest or gross interest that is
  - (a) charged against a working interest pursuant to an agreement in writing entered into on or before October 28, 1980; or
  - (b) owned by a person who is an approved holder in relation to the owner of the working interest against which the net interest or gross interest is charged.
- (3) Where a net interest is calculated as a predetermined percentage or range of percentages of, and is payable out of, all or a predetermined percentage of
  - (a) the oil or gas recovered from a tract, or
- (b) the proceeds of the disposition of the oil or gas, the reduction factor in respect of the net interest is the percentage determined pursuant to Formula 1.
- (4) Where a net interest is not calculated and payable in a manner described in subsection (3), the reduction factor in respect of the net interest is 100%.
- (5) Where a gross interest is calculated as a predetermined percentage or range of percentages of, and is payable out of, all or a predetermined percentage of
  - (a) the oil or gas recovered from a tract, or
- (b) the proceeds of the disposition of the oil or gas, the reduction factor in respect of the gross interest is the percentage determined pursuant to Formula 2.
- (6) Where a gross interest is not caculated and payable in a manner described in subsection (5), the reduction factor in respect of the gross interest is 100%.
- (7) For the purposes of subsections (3) and (5), where a right or interest under a net interest or gross interest is dependent on a contingency, the reduction factor in respect of the net interest or gross interest, as the case may be, shall be determined as if the contingency had already occurred, but this subsection shall not apply so as to reduce a reduction factor.

#### Operating Interest Percentage Determination

26. (1) Where at the time an eligible asset cost is incurred in respect of which an operating interest percentage determination is relevant, a right exists by contract, equity or otherwise, either immediately or in the future and either absolutely or contingently, that would, if exercised, reduce the operating interest percentage, the operating interest percentage shall be determined as if the right had been exercised.

#### Facteurs de réduction

- 25. (1) Sous réserve du paragraphe (2), un facteur de réduction applicable à chaque pourcentage d'intérêt actif déterminé en vertu du paragraphe 23(1), est calculé, pour chaque intérêt net ou brut imputé sur la totalité ou une partie de l'intérêt actif auquel se rapporte le calcul du pourcentage d'intérêt actif.
- (2) Aucun facteur de réduction n'est calculé pour un intérêt net ou brut qui
  - a) est imputé sur un intérêt actif conformément à un accord écrit intervenu au plus tard le 28 octobre 1980; ou
  - b) appartient à un détenteur approuvé par rapport au propriétaire de l'intérêt actif sur lequel est imputé l'intérêt net ou brut.
- (3) Lorsqu'un intérêt net est calculé sous forme de pourcentage prédéterminé ou de tranche de pourcentages de la totalité ou d'un pourcentage prédéterminé, et est payable sur cette totalité ou ce pourcentage
  - a) du pétrole ou du gaz extrait d'une parcelle, ou
- b) des revenus de l'aliénation du pétrole ou du gaz, le facteur de réduction applicable à l'intérêt net est le pourcentage qui est calculé conformément à la formule 1.
- (4) Lorsqu'un intérêt net n'est pas calculé et payable de la façon décrite au paragraphe (3), le facteur de réduction applicable à cet intérêt est de 100 pour cent.
- (5) Lorsqu'un intérêt brut est calculé sous forme de pourcentage prédéterminé ou de tranche de pourcentages de la totalité ou un pourcentage prédéterminé, et est payable sur cette totalité ou ce pourcentage
  - a) du pétrole ou du gaz extrait d'une parcelle, ou
- b) des revenus de l'aliénation du pétrole ou du gaz, le facteur de réduction applicable à l'intérêt brut est le pourcentage qui est calculé conformément à la formule 2.
- (6) Lorsqu'un intérêt brut n'est pas calculé et payable de la façon décrite au paragraphe (5), le facteur de réduction applicable à cet intérêt est de 100 pour cent.
- (7) Aux fins des paragraphes (3) et (5), lorsqu'un droit ou un intérêt aux termes d'un intérêt net ou brut dépend d'un événement futur, le facteur de réduction applicable à l'intérêt net ou brut, selon le cas, est calculé comme si l'événement avait déjà eu lieu, sauf que l'application du présent paragraphe ne doit pas diminuer un facteur de réduction.

#### Calcul du pourcentage d'intérêt dans l'exploitation

26. (1) Lorsqu'au moment où sont engagés les coûts admissibles d'un bien auxquels se rapporte le calcul du pourcentage de l'intérêt dans l'exploitation, un droit existe en vertu d'un contrat, d'un statut, d'un droit ou autrement, dans l'immédiat ou à l'avenir et de façon absolue ou aléatoire, et qui, si exercé, réduirait le pourcentage d'intérêt dans l'exploitation, ce pourcentage est calculé comme si le droit avait été exercé.

- (2) Subsection (1) does not apply in respect of a right referred to therein that
  - (a) is created by statute, regulation or order of a government authority having jurisdiction in that regard;
  - (b) is a right of first refusal that provides for an exercise price equivalent to fair market value at the time the right is exercised:
  - (c) is contingent on an event that is not reasonably expected to occur or on circumstances beyond the control of any person, other than the owner of the operating interest to which the right pertains;
  - (d) arises from a security interest; or
  - (e) is owned by a person who is an approved holder in relation to the owner of the operating interest to which the right pertains.

### Net Working Interest Land Area

- 27. (1) For the purposes of the definition "net working interest land area" in subsection 21(1), a land area is
  - (a) a tract that contains the well in respect of which an eligible expense that is to be adjusted was incurred;
  - (b) for the purposes of adjusting an earning expense pursuant to subsection 37(1) or (2), land within a tract delimited in accordance with section 29;
  - (c) for the purposes of adjusting an earning expense pursuant to subsection 37(1) or (2) or subsection 40(1), a tract that the applicant has not included in a net working interest land area determined for an eligible expense in respect of which an application for an incentive has previously been made, other than an expense that pertains to the well referred to in paragraph (a);
  - (d) for the purposes of adjusting an earning expense pursuant to section 37 or 40, a tract in respect of which the applicant has a right to earn or has earned ownership of a working interest by virtue of the earning expense;
  - (e) for the purposes of adjusting an eligible asset cost incurred in respect of tertiary recovery equipment used in a project, the land to which the project pertains; and
  - (f) notwithstanding paragraphs (a) to (e), where an eligible expense has been incurred pursuant to a unit agreement, the unit tract to which the eligible expense is allocated under the agreement.
- (2) Subject to this Part, an applicant may select the size of a net working interest land area.

### Penalty Land Area

- 28. (1) For the purposes of the definition "penalty land area" in subsection 21(1), a land area is
  - (a) a tract that contains the well in respect of which a penalty expense that is to be adjusted has been incurred; and

- (2) Le paragraphe (1) ne s'applique pas en ce qui concerne un droit qui
  - a) résulte d'un statut, d'un règlement ou d'un décret ou une ordonnance d'une autorité gouvernementale compétente:
- b) est un droit de premier refus qui stipule un prix d'exercice équivalent à la juste valeur marchande au moment de l'exercice du droit;
- c) dépend d'un événement aléatoire ou de circonstances indépendantes de la volonté de toute personne, autre que le propriétaire de l'intérêt dans l'exploitation auquel le droit se rapporte;
- d) résulte d'un droit détenu en garantie; ou
- e) appartient à un détenteur approuvé par rapport au propriétaire de l'intérêt dans l'exploitation auquel le droit se rapporte.

### Superficie visée par un intérêt actif net

- 27. (1) Aux fins de la définition de «superficie visée par un intérêt actif net» au paragraphe 21(1), une superficie comprend:
  - a) une parcelle où est situé le puits auquel les frais admissibles à rectifier se rapportent;
  - b) pour la rectification des frais liés à l'intérêt actif à gagner conformément aux paragraphes 37(1) ou (2), les terres de la parcelle délimitée conformément à l'article 29;
  - c) pour la rectification des frais liés à un intérêt à gagner conformément aux paragraphes 37(1), (2) ou 40(1), une parcelle que le demandeur n'a pas incluse dans une superficie visée par un intérêt actif net et pour laquelle on a engagé des frais admissibles autres que des frais liés à un puits mentionné à l'alinéa a), qui ont déjà fait l'objet d'une demande de subvention;
  - d) pour la rectification des frais liés à l'intérêt actif à gagner conformément aux articles 37 ou 40, une parcelle pour laquelle le demandeur, ayant engagé de tels frais, a le droit de gagner ou a gagné la propriété d'un intérêt actif en raison des frais liés à l'intérêt actif à gagner;
  - e) pour la rectification des coûts admissibles d'un bien engagés dans du matériel de récupération tertiaire utilisé pour l'exécution d'un projet, les terres auxquelles le projet se rapporte; et
  - f) nonobstant les alinéas a) à e), lorsque des frais admissibles ont été engagés aux termes d'un accord d'union, la parcelle unitaire à laquelle sont affectés les frais admissibles en vertu de cet accord.
- (2) Sous réserve de la présente Partie, le demandeur peut choisir les dimensions de la superficie visée par un intérêt actif net.

### Superficie frappée d'une pénalité

- 28. (1) Aux fins de la définition de «superficie frappée d'une pénalité» au paragraphe 21(1), une superficie est
  - a) une parcelle où est situé le puits auquel les frais rectifiés frappés d'une pénalité se rapportent; et
  - b) une parcelle pour laquelle le demandeur a le droit de gagner ou a gagné la propriété d'un intérêt actif frappé

- (b) a tract in respect of which the applicant has a right to earn or has earned ownership of a penalty working interest by virtue of an incurred penalty expense.
- (2) Subject to this Part, an applicant may select the size of a penalty land area.

### Delimitation of Tract in Canada Lands

29. (1) For the purposes of subsection (2), the sections that surround the intersectional point of survey lines nearest to the well to which the expense that is being adjusted pertains shall consist of complete sections, within the meaning of section 7 of the Canada Oil and Gas Land Regulations, numbered to correspond with the following diagram, where section 1 identifies the section in which the well is drilled, section 2 may be to the north, south, east or west of section 1 and the survey section lines that form the intersectional point delimit the boundaries between sections 1 to 4.

73	74	75	76	77	78	79	80	81	82
72	43	44	45	46	47	48	49	50	83
71	42	21	22	23	24	25	26	51	84
70	41	20	7	8	9	10	27	52	85
69	40	19	6	1	2	11	28	53	86
68	39	18	5	4	3	12	29	54	87
67	38	17	16	15	14	13	30	55	88
66	37	36	35	34	33	32	31	56	89
65	64	63	62	61	60	59	58	57	90
100	99	98	97	96	95	94	93	92	91

(2) The "tract" referred to in paragraph 27(1)(b) shall consist of the section located in accordance with subsection (1) of this section as section 1 and such additional sections as are identified by number by counting consecutively in accordance with subsection (1) of this section to the minimum number of sections that, when expressed in hectares, equals or exceeds the relevant minimum land block.

### Continuation of a Well

30. Where the drilling of a well is abandoned due to geological or mechanical difficulty or other similar cause and the drilling of a new well is commenced within such time thereafter and within such proximity thereto that, having regard to the circumstances, the new well may reasonably be regarded as a continuation of or a substitution for the drilling of the abandoned well, the eligible cost or expense incurred in respect of the new well shall be considered to be incurred in respect of the abandoned well.

d'une pénalité du fait qu'il a engagé des frais frappés d'une pénalité.

(2) Sous réserve de la présente Partie, le demandeur peut choisir les dimensions de la superficie frappée d'une pénalité.

### Délimitation d'une parcelle dans les terres du Canada

29. (1) Aux fins du paragraphe (2), les sections entourant le point d'intersection des lignes de délimitation les plus proches du puits auquel se rapportent les frais rectifiés comprennent des sections complètes au sens de l'article 7 du Règlement sur les terres pétrolifères et gazifères du Canada, numérotées de façon à correspondre au diagramme suivant, dans lequel la section 1 représente la section où le puits est foré, la section 2 peut être au nord, au sud, à l'est ou à l'ouest de la section 1 et les lignes de délimitation des sections qui forment le point d'intersection marquent la limite entre les sections 1 à 4.

72	74	7.5	7.0	77	70	79	0.0	0.1	0.3
73	/4	75	76	77	78	/9	80	81	82
72	43	44	45	46	47	48	49	50	83
71	42	21	22	23	24	25	26	51	84
70	41	20	7	8	9	10	27	52	85
69	40	19	6	1	2	11	28	53	86
68	39	18	5	4	3	12	29	54	87
67	38	17	16	15	14	13	30	55	88
66	37	36	35	34	33	32	31	56	89
65	64	63	62	61	60	59	58	57	90
100	99	98	97	96	95	94	93	92	91

(2) La «parcelle» visée aux fins de l'alinéa 27(1)b), comprend la section située conformément au paragraphe (1), soit la section 1, et toutes les autres sections identifiées par numéro en comptant consécutivement, conformément au paragraphe (1), jusqu'au nombre minimal de sections, lequel, exprimé en hectares, est égal ou supérieur à la superficie minimale pertinente.

### Prolongation d'un puits

30. Lorsque le forage d'un puits donné est abandonné en raison de difficultés géologiques, mécaniques ou d'un autre problème semblable et que le forage d'un autre puits est entrepris après une période et à une distance telles que, compte tenu des circonstances, l'autre puits peut être considéré comme la prolongation ou le remplacement du premier puits, les coûts ou frais admissibles engagés dans l'autre puits sont réputés engagés relativement au premier puits.

### Adjustment of Eligible Cost or Expense

- 31. (1) For the purposes of sections 7 to 9 of the Act, an eligible cost or expense, other than an eligible cost or expense referred to in subsection 5(1) of the Act, shall be adjusted in accordance with this Part.
- (2) Subject to subsection (3), the adjustment referred to in subsection (1) shall be made in respect of
  - (a) each eligible expense incurred in respect of each well; and
  - (b) each eligible cost incurred in respect of each project in which tertiary recovery equipment is used.
- (3) The adjustment of an eligible expense incurred pursuant to a unit agreement shall be made in respect of the unit tract to which the eligible expense is allocated under the unit agreement.

### Exceptions to Adjustment of Eligible Cost or Expense

- 32. (1) Subsection 31(1) does not apply to an eligible expense that is
  - (a) a geological geophysical or geochemical expense, other than a drilling contribution, where the expense is in respect of a program that is not conducted incidentally to and in the course of the drilling of a particular well;
  - (b) internal overhead; or
  - (c) an expense described in subparagraph 66.1(6)(a)(iii) of the *Income Tax Act*.
- (2) Subsection 31(1) does not apply to an eligible expense incurred by a person in respect of any net working interest land area if, at the time the expense is incurred,
  - (a) the net working interest land area is equal to or greater than the relevant minimum land block:
  - (b) the person is the owner of a working interest in respect of the net working interest land area and no reduction factor applies to his working interest; and
  - (c) each other person who owns or is entitled to own a working interest in respect of the net working interest land area is an approved holder in relation to the person.
- (3) Subsection 31(1) does not apply to an eligible asset cost incurred by a person in respect of a project, if, at the time the eligible asset cost is incurred,
  - (a) the person is the owner of a working interest in respect of the net working interest land area for the project and no reduction factor applies to his working interest; and
  - (b) each other person who owns or is entitled to own an operating interest in respect of the project and each other person who owns or is entitled to own a working interest in respect of the net working interest land area for the project is an approved holder in relation to the person.
- (4) Subsection 31(1) does not apply to an eligible cost or expense incurred by a person pursuant to an agreement in writing entered into by the person if

### Rectification des coûts ou frais admissibles

- 31. (1) Aux fins des articles 7 à 9 de la Loi, tous les coûts ou frais admissibles, autres que les coûts ou frais admissibles mentionnés au paragraphe 5(1) de la Loi, sont rectifiés conformément à la présente Partie.
- (2) Sous réserve du paragraphe (3), la rectification mentionnée au paragraphe (1) est effectuée
- a) par rapport aux frais admissibles engagés dans chaque puits; et
- b) par rapport aux frais admissibles engagés pour chaque projet qui utilise du matériel de récupération tertiaire.
- (3) La rectification de tous les frais admissibles engagés conformément à un accord d'union est effectuée par rapport à la parcelle unitaire à laquelle les frais admissibles sont répartis en vertu de l'accord d'union.

## Exceptions générales à la rectification des coûts ou frais admissibles

- 32. (1) Le paragraphe 31(1) ne s'applique pas aux frais admissibles qui sont
  - a) des frais de travaux géologiques, géophysiques ou géochimiques, autres qu'une participation au forage, et qui ne se rapportent pas à un programme effectué à l'occasion ou au cours du forage d'un puits donné;
  - b) des frais généraux internes; ou
  - c) des frais décrits au sous-alinéa 66.1(6)a)(iii) de la Loi de l'impôt sur le revenu.
- (2) Le paragraphe 31(1) ne s'applique pas aux frais admissibles engagés par une personne dans une superficie visée par un intérêt actif net si, au moment où les frais sont engagés,
  - a) la superficie visée par un intérêt actif net est égale ou supérieure à la superficie minimale pertinente;
  - b) la personne est le propriétaire d'un intérêt actif dans la superficie visée par un intérêt actif net et qu'aucun facteur de réduction ne s'applique à son intérêt actif; et
  - c) chaque personne qui possède ou peut posséder un intérêt actif dans ladite superficie est un détenteur approuvé par rapport à la personne.
- (3) Le paragraphe 31(1) ne s'applique pas aux coûts admissibles d'un bien engagés par une personne dans un projet, si, au moment où les coûts admissibles du bien sont engagés,
  - a) la personne est le propriétaire d'un intérêt actif dans une superficie visée par un intérêt actif net dans le projet et qu'aucun facteur de réduction ne s'applique à cet intérêt actif; et
  - b) chaque personne qui possède ou peut posséder un intérêt dans l'exploitation du projet et chaque personne qui possède ou peut posséder un intérêt actif dans la superficie visée par un intérêt actif net est un détenteur approuvé par rapport à la personne.
- (4) Le paragraphe 31(1) ne s'applique pas aux coûts ou frais admissibles engagés par une personne aux termes d'un accord écrit conclu par cette personne si,

- (a) that subsection would not have applied to the eligible cost or expense by virtue of subsection (2) or (3) of this subsection, had the eligible cost or expense been incurred on the later of January 1, 1981 and the date of the agreement; and
- (b) at the time the eligible cost or expense is incurred, no event has occured as a result of which subsection 31(1) would apply to the eligible cost or expense, other than an event beyond the control of that person.
- (5) For the purposes of subsection (4), subsection (2) shall be read as if the expression "area of lands subject to the agreement referred to in subsection (4)" were substituted for the expression "net working interest land area".
- (6) Subsection 31(1) does not apply to an eligible cost or expense, other than an eligible expense incurred by a person in a circumstance described in section 38 or 41, if the eligible cost or expense is incurred on or before December 31, 1986 pursuant to an agreement in writing entered into by him on or before October 28, 1980.
- (7) For the purposes of subsections (4) and (6), where an eligible expense is incurred in a circumstance described in subparagraph 66.1(6)(a)(v) or 66.2(5)(a)(v) of the *Income Tax Act*, the expression "agreement in writing" in subsections (4) and (6) shall be read as not including an agreement referred to in that subparagraph.
- (8) Subsection 31(1) does not apply to eligible costs or expenses incurred by a person during a fiscal period if the aggregate of all eligible costs or expenses
  - (a) incurred during the fiscal period by the person and by any other person with whom, at the time that other person incurs an eligible cost or expense, the person does not deal at arm's length, and
  - (b) in respect of which an application for an incentive is made.

does not exceed \$500,000.

- (9) Where an incentive is made on an application under subsection 14(6) in respect of eligible costs or expenses that have not been adjusted due to the application of subsection (8) of this section and it appears on a subsequent application or otherwise that those eligible costs or expenses should have been adjusted because subsection (8) has ceased to be applicable, the applicant shall forthwith send to the Minister an adjustment of the incentive within the meaning of subsection 16(1).
- (10) For the purposes of this section, a person shall be considered to be a person who owns or is entitled to own a working interest or operating interest at a particular time if, at that time.
  - (a) the person has a right, by contract, equity or otherwise, either immediately or in the future and either absolutely or contingently, to acquire the working interest or operating interest, other than a right described in subsection 23(7) or 26(2), as the case may be; and

- a) lorsque les coûts ou frais admissibles ont été engagés au plus tard le 1er janvier 1981 ou à la date de la signature de l'accord, selon la plus éloignée des deux dates, ce paragraphe ne serait pas appliqué à ces coûts ou frais admissibles en raison des paragraphes (2) ou (3); et
- b) au moment où les coûts ou frais admissibles sont engagés, aucun événement n'est survenu, autre qu'un événement indépendant de la volonté de cette personne, en vertu duquel le paragraphe 31(1) s'appliquerait aux coûts ou frais admissibles.
- (5) Aux fins du paragraphe (4), le paragraphe (2) doit se lire comme si le membre de phrase «une superficie visée par un intérêt actif net» était remplacé par le membre de phrase «la superficie de terres qui font l'objet d'un accord visé au paragraphe (4)».
- (6) Le paragraphe 31(1) ne s'applique pas aux coûts ou frais admissibles, autres que les frais admissibles engagés par une personne dans les cas mentionnés aux articles 38 ou 41, lorsque les coûts ou frais admissibles sont engagés au plus tard le 31 décembre 1986, aux termes d'un accord écrit conclu au plus tard le 28 octobre 1980 par cette personne.
- (7) Aux fins des paragraphes (4) et (6), lorsque des frais admissibles sont engagées dans les circonstances décrites au sous-alinéa 66.1(6)a)(v) ou 66.2(5)a)(v) de la Loi de l'impôt sur le revenu, l'expression «accord écrit» utilisée dans les paragraphes (4) et (6) ne comprend pas l'entente mentionnée dans ce sous-alinéa.
- (8) Le paragraphe 31(1) ne s'applique pas aux coûts ou frais admissibles engagés par une personne durant un exercice financier si l'ensemble de tous les coûts ou frais admissibles
  - a) engagés durant l'exercice financier par la personne et par toute autre personne ayant un lien de dépendance avec la personne au moment où les coûts ou frais admissibles sont engagés par cette autre personne, et
- b) à l'égard desquels une demande de subvention a été présentée,

n'excède pas \$500,000.

- (9) Lorsqu'une subvention est versée à la suite d'une demande présentée en vertu du paragraphe 14(6), à l'égard de coûts ou frais admissibles qui n'ont pas été rectifiés à cause de l'application du paragraphe (8), et qu'il est indiqué sur une demande ultérieure ou autrement que ces coûts ou frais admisibles auraient dû être rectifiés parce que ce paragraphe n'est plus applicable, le demandeur doit faire parvenir au Ministre une rectification de subvention, au sens du paragraphe 16(1).
- (10) Aux fins du présent article, une personne est considérée comme une personne qui, à une date donnée, possède ou a le droit de posséder un intérêt actif ou un intérêt dans l'exploitation, si, à ce moment,
  - a) la personne a le droit, soit par le biais d'un statut, d'un contrat, d'une participation ou autre, soit dans l'immédiat ou dans l'avenir et de façon absolue ou aléatoire, d'acquérir l'intérêt actif ou l'intérêt dans l'exploitation, autre qu'un droit décrit aux paragraphes 23(7) ou 26(2), selon le cas; et

(b) in the case of a working interest, the person is the owner of a net interest or a gross interest to which subsection 24(2) applies and the net working interest percentage of the owner of the working interest would be determined under paragraph 24(2)(a).

### Equipping Expenditure Percentage and Post-Equipping Expenditure Percentage Adjustment

- 33. (1) Subject to subsection (3) and section 35, where a person incurs an eligible expense that is to be adjusted pursuant to subsection 31(1) in respect of a well and
  - (a) his equipping expenditure percentage, or
  - (b) his post-equipping expenditure percentage,

for the well exceeds his net working interest percentage in the net working interest land area determined for the purpose of adjusting the eligible expense, the eligible expense shall be adjusted to zero.

- (2) Where a working interest percentage of an applicant has been reduced pursuant to subsection 23(6), his equipping expenditure percentage and post-equipping expenditure percentage for the well to which the working interest pertains shall be determined as if the right as a result of which the reduction was made had already been exercised.
- (3) Paragraph (1)(a) does not apply in respect of an earning expense incurred in respect of lands in Canada other than Canada lands.

### Acquisition Expenditure Adjustment

- 34. Subject to section 35, where an earning expense that is to be adjusted pursuant to subsection 31(1) is incurred by a person who, at the time the earning expense is incurred, has incurred or agreed to incur in respect of the oil or gas rights to which the earning expense may reasonably be considered to relate.
  - (a) acquisition expenditures, or
  - (b) maintenance expenditures in respect of a period prior to the date the person acquired the oil or gas rights or entered into the agreement pursuant to which the oil or gas rights are or will be acquired,

the amount of such acquisition expenditures and maintenance expenditures shall, to the extent that it has not previously been deducted pursuant to this section, be deducted from the earning expense prior to any adjustment being made in respect of the earning expense under section 37 or 40.

### Exception to Certain Adjustments

- 35. (1) The adjustments referred to in sections 33 and 34 do not apply
  - (a) in respect of an eligible expense that a person incurs or agrees to incur pursuant to an agreement in writing entered into by him on or before June 25, 1981; or
  - (b) in respect of an eligible expense that a person incurs pursuant to a unit agreement.

b) dans le cas d'un intérêt actif, la personne est propriétaire d'un intérêt brut ou net auquel s'applique le paragraphe 24(2) et le pourcentage d'intérêt actif net du propriétaire de l'intérêt actif était déterminé conformément à l'alinéa 24(2)a).

## Rectification du pourcentage des frais d'équipement et du pourcentage des frais postérieurs à l'équipement

- 33. (1) Sous réserve du paragraphe (3) et de l'article 35, lorsqu'une personne engage dans un puits des frais admissibles qui doivent être rectifiés conformément au paragraphe 31(1) et
  - a) que son pourcentage des frais d'équipement, ou
- b) que son pourcentage des frais postérieurs à l'équipement, concernant le puits dépasse son pourcentage d'intérêt actif net dans la superficie visée par un intérêt actif net déterminée dans le but de rectifier les frais admissibles, ceux-ci sont rectifiés à zéro.
- (2) Lorsque le pourcentage d'intérêt actif d'un demandeur a été réduit conformément au paragraphe 23(6), le pourcentage des frais d'équipement et des frais postérieurs à l'équipement qu'il engage dans le puits auquel s'applique l'intérêt actif est déterminé comme si le droit entraînant la réduction avait déjà été exercé.
- (3) L'alinéa (1)a) ne s'applique pas aux frais liés à l'intérêt actif à gagner engagés dans des terres situées au Canada, mais qui ne sont pas des terres du Canada.

### Rectification des frais d'acquisition

- 34. Sous réserve de l'article 35, lorsque des frais liés à l'intérêt actif à gagner doivent être rectifiés conformément au paragraphe 31(1) sont engagés par une personne qui, au moment où les frais liés à l'intérêt actif à gagner sont engagés, a engagé ou convient d'engager
  - a) des frais d'acquisition, ou
  - b) des frais de maintien de la propriété en ce qui concerne des droits sur le pétrole ou le gaz auxquels se rapportent les frais liés à l'intérêt actif à gagner,

le montant de tels frais d'acquisition ou de maintien est déduit, dans la mesure où ils n'avaient pas été déduits auparavant, des frais liés à l'intérêt à gagner avant d'effectuer une rectification des frais liés à l'intérêt actif à gagner, conformément aux articles 37 ou 40.

### Exceptions à certaines rectifications

- 35. (1) Les rectifications mentionnées aux articles 33 et 34 ne s'appliquent pas
  - a) aux frais admissibles qu'une personne engage ou convient d'engager aux termes d'un accord écrit qu'elle a conclu au plus tard le 25 juin 1981; ou
  - b) aux frais admissibles engagés par une personne conformément à un accord d'union.

- (2) The adjustment referred to in section 34 does not apply in respect of an acquisition expenditure that a person incurs that may reasonably be considered to be a reimbursement of all or part of the reimbursable eligible expense that pertains to the tract in respect of which the person earns a working interest by virtue of the earning expense referred to in section 34
- (3) For the purposes of subsection (2), "reimbursable eligible expense" in respect of a person means the product of
  - (a) the amount, if any, by which
    - (i) the total eligible expense incurred, prior to the time at which the person enters into the agreement pursuant to which he earns the working interest, by all persons other than the applicant, that pertains to the tract in respect of which the person earns a working interest by virtue of the earning expense referred to in section 34

#### exceeds

- (ii) any incentive, reimbursement, compensation or other payment received or receivable by the persons whose eligible expense is referred to in subparagraph (i) in respect of that eligible expense; and
- (b) the share of eligible expense incurred by the person under the agreement pursuant to which he earns the working interest.
- (4) The expression "eligible expense" in subsection (3) shall be read as including any expense that would, but for subparagraph 12(1)(a)(ii) or paragraph 12(1)(b), (h) or (i) or the fact that it was incurred prior to 1981, be an eligible development expense or eligible exploration expense for the purposes of Part I.

### Adjustment of Expense in Canada Lands

36. An eligible expense in respect of Canada lands that is to be adjusted pursuant to subsection 31(1), shall be adjusted to equal the lesser of the amount determined in accordance with Formula 3 and the amount determined without reference to that Formula, but this section does not apply to any eligible expense adjusted pursuant to section 37, 38, 43, 44, 46 or 47.

#### Adjustment of Earning Expense in Canada Lands

- 37. (1) Subject to this section, an earning expense in respect of Canada lands that is to be adjusted pursuant to subsection 31(1), shall be adjusted to equal the lesser of the amount determined in accordance with Formula 4 and the amount determined without reference to that Formula.
- (2) Subject to subsections (3) and (4), an earning expense referred to in subsection (1) incurred in respect of a well
  - (a) that is drilled for the purpose of delineating or determining the extent or quality of a known accumulation of oil or gas, and

- (2) La rectification mentionnée à l'article 34 ne s'applique pas aux frais d'acquisition qu'une personne engage et qui peuvent raisonnablement être considérés comme un remboursement de la totalité ou d'une partie des frais admissibles assujettis à un remboursement et engagés à l'égard d'une parcelle dans laquelle la personne gagne un intérêt actif en vertu des frais liés à l'intérêt actif à gagner mentionnés à l'article 34.
- (3) Aux fins du paragraphe (2), les «frais admissibles assujettis à un remboursement» engagés par une personne désigne le produit de
  - a) l'excédent entre
    - (i) le total des frais admissibles engagés, avant que la personne ne conclue l'entente en vertu de laquelle elle gagne un intérêt actif, par toutes les personnes autres que le demandeur, à l'égard d'une parcelle dans laquelle la personne gagne un intérêt actif en vertu des frais liés à l'intérêt actif à gagner mentionnés à l'article 34

et

- (ii) toute subvention, remboursement, indemnisation ou autre paiement que les personnes dont les frais admissibles sont mentionnés au sous-alinéa (i) ont reçu ou peuvent recevoir à l'égard de ces frais admissibles; et
- b) la part des frais admissibles que la personne engage en vertu de l'accord selon lequel elle gagne l'intérêt actif.
- (4) Aux fins du paragraphe (3), l'expression «frais admissibles» inclut tous les frais qui, n'eût-été du sous-alinéa 12(1)a/(ii) ou de l'alinéa 12(1)b/, h/ ou i/(ii) ou du fait qu'ils ont été engagés avant 1981, auraient été des frais d'exploration admissibles ou des frais d'aménagement admissibles, aux fins de la Partie I.

### Rectification des frais engagés dans des terres du Canada

36. Le montant des frais admissibles qui est engagé dans des terres du Canada et qui doit être rectifié conformément au paragraphe 31(1) est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 3 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir, mais le présent article ne s'applique pas aux frais admissibles rectifiés en vertu des articles 37, 38, 43, 44, 46 ou 47.

### Rectification des frais liés à l'intérêt actif à gagner dans des terres du Canada

- 37. (1) Sous réserve du présent article, le montant des frais liés à l'intérêt actif à gagner qui est engagé dans des terres du Canada et qui doit être rectifié conformément au paragraphe 31(1) est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 4 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.
- (2) Sous réserve des paragraphes (3) et (4), le montant des frais liés à l'intérêt actif à gagner, mentionné au paragraphe (1) et engagé à l'égard d'un puits,
  - a) dont le forage a pour objet de délimiter l'étendue ou de déterminer la qualité d'un gisement de pétrole ou de gaz, et

(b) the drilling of which is commenced before production in commercial quantities of any oil or gas from the accumulation.

shall be adjusted to equal the lesser of the amount determined in accordance with Formula 5 and the amount determined without reference to that Formula.

- (3) An earning expense referred to in subsection (1) that is incurred by a person in respect of a well located within the same net working interest land area in which the person has previously incurred an earning expense in respect of another well, shall be adjusted to equal the lesser of the amount determined in accordance with Formula 3 and the amount determined without reference to that Formula.
- (4) An earning expense referred to in subsection (1) that is incurred by a person in respect of a well located in lands in which the person owns oil or gas rights, determined without reference to subsection 2(3), shall be adjusted to equal the lesser of the amount determined in accordance with Formula 3 and the amount determined without reference to that Formula.

### Adjustment of Penalty Expense in Canada Lands

- 38. A penalty expense incurred by a person in respect of Canada lands that is to be adjusted pursuant to subsection 31(1) shall be adjusted to equal
  - (a) where, pursuant to an agreement in writing entered into on or before October 28, 1980 by the person, penalty production is thereby acquired, the lesser of the amount determined in accordance with Formula 6 and the amount determined without reference to that Formula;
  - (b) where a penalty working interest is thereby acquired, and
    - (i) the applicant's penalty net working interest percentage in respect of the penalty land area determined for the purpose of adjusting the penalty expense is equal to or greater than one-half of his penalty expense percentage, and
    - (ii) the penalty land area is equal to or greater than nine Sections, within the meaning of section 7 of the Canada Oil and Gas Land Regulations,

the amount of the penalty expense; or

(c) in any other case, zero.

## Adjustment of Expense in Other Lands

39. An eligible expense in respect of lands in Canada other than Canada lands, that is to be adjusted pursuant to subsection 31(1) shall be adjusted to equal the lesser of the amount determined in accordance with Formula 3 and the amount determined without reference to that Formula, but this section

- b) dont le forage est entrepris avant la production en quantités commerciales du pétrole ou du gaz extrait du gisement,
- est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 5 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.
- (3) Le montant des frais liés à l'intérêt actif à gagner mentionné au paragraphe (1) et engagé dans un puits situé dans les limites de la superficie visée par un intérêt actif net dans laquelle la personne a déjà engagé des frais liés à l'intérêt actif à gagner à l'égard d'un autre puits, est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 3 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.
- (4) Le montant des frais liés à l'intérêt actif à gagner mentionné au paragraphe (1) et engagé à l'égard d'un puits situé dans des terres où la personne possède un droit sur le pétrole ou le gaz, déterminé sans référence au paragraphe 2(3), est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 3 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.

### Rectification des frais frappés d'une pénalité, engagés dans des terres du Canada

- 38. Le montant des frais frappés d'une pénalité qui est engagé par une personne à l'égard des terres du Canada et qui doit être rectifié conformément au paragraphe 31(1) et qui est engagé par une personne dans des terres du Canada est rectifié de façon qu'il soit égal,
  - a) au montant calculé conformément à la formule 6 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir, lorsque, en vertu d'un accord écrit conclu au plus tard le 28 octobre 1980 par la personne, la production frappée d'une pénalité est ainsi acquise;
  - b) lorsqu'un intérêt actif frappé d'une pénalité est ainsi acquis, et
    - (i) que le pourcentage d'intérêt actif net frappé d'une pénalité du demandeur, en ce qui concerne une superficie frappée d'une pénalité et déterminée aux fins de la rectification des frais frappés d'une pénalité, est égal ou supérieur à la moitié du pourcentage des frais frappés d'une pénalité du demandeur, et
    - (ii) que la superficie frappée d'une pénalité est égale ou supérieure à neuf sections, au sens de l'article 7 du Règlement sur les terres pétrolifères et gazifères du Canada,

au montant des frais frappés d'une pénalité; et

c) dans tout autre cas, à zéro.

### Rectification des frais engagés dans d'autres terres

39. Le montant des frais admissibles qui est engagé dans des terres situées au Canada mais qui ne sont pas des terres du Canada et qui doit être rectifié conformément au paragraphe 31(1), est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 3 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir, mais le présent

does not apply to an eligible expense adjusted pursuant to any of section 40, 41, 43, 45 or 47.

### Adjustment of Earning Expense in Other Lands

- 40. (1) Subject to subsections (2) and (3), an earning expense in respect of lands in Canada other than Canada lands that is to be adjusted pursuant to subsection 31(1) shall be adjusted to equal the lesser of the amount determined in accordance with Formula 4 and the amount determined without reference to that Formula.
- (2) Where an earning expense referred to in subsection (1) is incurred by a person in respect of a well located within the same net working interest land area in which the person has previously incurred an earning expense in respect of another well, the amount of the earning expense shall be adjusted to equal the lesser of the amount determined in accordance with Formula 3 and the amount determined without reference to that Formula
- (3) Where an earning expense referred to in subsection (1) is incurred by a person in respect of a well located in lands in which the person owns oil or gas rights, determined without reference to subsection 2(3), the amount of the earning expense shall be adjusted to equal the lesser of the amount determined in accordance with Formula 3 and the amount determined without reference to that Formula.

### Adjustment of Penalty Expense in Other Lands

- 41. A penalty expense in respect of lands in Canada other than Canada lands that is to be adjusted pursuant to subsection 31(1) shall be adjusted to equal
  - (a) where a right to receive penalty production is thereby acquired, the lesser of the amount determined in accordance with Formula 7 and the amount determined without reference to that Formula; and
  - (b) in any other case, zero.

### Adjustment of Eligible Asset Cost

42. An eligible asset cost that is to be adjusted pursuant to subsection 31(1) shall be adjusted to equal the lesser of the amount determined in accordance with Formula 9 and the amount determined without reference to that Formula.

### Adjustment of Eligible Expense In Respect of Unit Agreement

43. An eligible expense in respect of a unit agreement that is to be adjusted pursuant to subsection 31(1) shall be adjusted to equal

article ne s'applique pas aux frais admissibles rectifiés en vertu des articles 40, 41, 43, 45 ou 47.

## Rectification des frais liés à l'intérêt actif à gagner dans d'autres terres

- 40. (1) Sous réserve des paragraphes (2) et (3), le montant des frais liés à l'intérêt actif à gagner qui est engagé dans des terres situées au Canada mais qui ne sont pas des terres du Canada et qui doit être rectifié conformément au paragraphe 31(1), est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 4 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.
- (2) Lorsque le montant des frais liés à l'intérêt actif à gagner mentionné au paragraphe (1) est engagé par une personne dans un puits situé dans les limites de la superficie visée par un même intérêt actif net où la personne a déjà engagé des frais liés à l'intérêt actif à gagner, le montant des frais liés à l'intérêt actif à gagner est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 3 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.
- (3) Lorsque le montant des frais liés à l'intérêt actif à gagner mentionné au paragraphe (1) est engagé à l'égard d'un puits situé dans des terres où la personne possède un droit sur le pétrole ou le gaz, déterminés sans référence au paragraphe 2(3), le montant des frais liés à l'intérêt actif à gagner est rectifié de façon qu'il soit égal au montant calculé conformément à la formule 3 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir.

### Rectification des frais frappés d'une pénalité dans d'autres terres

- 41. Le montant des frais frappés d'une pénalité qui est engagé dans des terres situées au Canada mais qui ne sont pas des terres du Canada et qui doit être rectifié conformément au paragraphe 31(1), est rectifié de façon qu'il soit égal
  - a) au montant calculé conformément à la formule 7 ou au montant calculé sans cette formule, le plus petit des deux étant à retenir, lorsqu'un droit de recevoir une production frappée d'une pénalité est ainsi acquis; et
  - b) à zéro, dans tout autre cas.

### Rectification du coût admissible d'un bien

42. Le montant du coût admissible d'un bien qui doit être rectifié conformément au paragraphe 31(1) est rectifié de façon qu'il soit égal au montant déterminé conformément à la formule 9 ou au montant déterminé sans cette formule, le plus petit des deux étant à retenir.

### Rectification des coûts ou frais admissibles engagés à la suite d'un accord d'union

43. Le montant des frais admissibles à l'égard d'un accord d'union qui doit être rectifié conformément au paragraphe 31(1) est rectifié de façon qu'il soit égal

(a) where the expense tract factor applicable to the eligible expense is equal to or less than the production tract factor in respect of the unit tract to which the eligible expense is allocated under the unit agreement, the lesser of the amount determined in accordance with Formula 8 and the amount determined without reference to that Formula; and

(b) in any other case, zero.

### Adjustment of Eligible Expense in Respect of Drilling Contribution in Canada Lands

- 44. An eligible expense that is to be adjusted pursuant to subsection 31(1) that is a drilling contribution that relates to Canada lands, shall be adjusted to equal
  - (a) where the person who receives the drilling contribution is an approved holder in relation to the applicant, the amount of the drilling contribution; and
  - (b) in any other case, zero.

# Adjustment of Eligible Expense in Respect of Drilling Contribution in Other Lands

- 45. An eligible expense that is to be adjusted pursuant to subsection 31(1) that is incurred by a person in respect of a drilling contribution that relates to lands in Canada other than Canada lands, shall be adjusted to equal
  - (a) where the person is the owner of a working interest in respect of lands contiguous to the lands in which a well to which the drilling contribution pertains is drilled and the amount of the eligible expense does not exceed the fair market value of the right to receive the information received pursuant to the drilling contribution, the amount of the drilling contribution; and
  - (b) in any other case, zero.

### Adjustment of Eligible Exploration Expense in Respect of a Syndicated Test Well

- 46. An eligible exploration expense that is to be adjusted pursuant to subsection 31(1) in respect of a syndicated test well shall be adjusted to equal
  - (a) where the percentage that the person incurs of the total eligible exploration expenses in respect of the well is equivalent to the working interest of the person in respect of the accumulation being tested, the amount of the eligible exploration expense; and
  - (b) in any other case, zero.

### Adjustment of Certain Eligible Exploration Expenses in Respect of Bituminous Sands, Oil Sands and Oil Shale Deposits

47. Where an eligible exploration expense that is to be adjusted pursuant to subsection 31(1) is an expense described in subparagraph 66.1(6)(a)(iii.1) of the *Income Tax Act* incurred by a person in respect of a bituminous sands deposit,

a) au moindre du montant déterminé conformément à la formule 8 et de celui déterminé sans cette formule, lorsque le facteur de répartition parcellaire des frais admissibles est égal ou inférieur au facteur de répartition parcellaire de la production tirée de la parcelle unitaire à laquelle sont affectés les frais admissibles en vertu de l'accord d'union; et b) à zéro, dans tous les autres cas.

### Rectification des frais admissibles en ce qui concerne une contribution aux frais de forage dans des terres du Canada

- 44. Le montant des frais admissibles qui doit être rectifié conformément au paragraphe 31(1) et est une contribution aux frais de forage dans des terres du Canada est rectifié de façon qu'il soit égal
  - a) au montant de la contribution aux frais de forage, lorsque la personne qui reçoit cette contribution est un détenteur approuvé du demandeur; et
  - b) à zéro, dans tout autre cas.

### Rectification des frais admissibles en ce qui concerne une contribution aux frais de forage dans des terres situées au Canada mais qui ne sont pas des terres du Canada

- 45. Le montant des frais admissibles qui doit être rectifié conformément au paragraphe 31(1) et qui est engagé par une personne en ce qui concerne une contribution aux frais de forage qui se rapporte à des terres situées au Canada mais qui ne sont pas des terres du Canada, est rectifié de façon qu'il soit égal.
  - a) au montant des frais de forage admissibles, lorsque la personne est propriétaire d'un intérêt actif à l'égard des terres adjacentes à celles dans lesquelles un puits auquel se rapporte la contribution aux frais de forage est foré et que le montant des frais admissibles ne dépasse pas la juste valeur marchande du droit de recevoir les renseignements reçus en échange d'une contribution aux frais de forage; et
  - b) à zéro, dans tous les autres cas.

## Rectification des frais d'exploration admissibles en ce qui concerne un puits d'exploration en commun

- 46. Le montant des frais d'exploration admissibles qui doit être rectifié conformément au paragraphe 31(1) et qui est engagé dans un puits d'exploration en commun est rectifié de façon qu'il soit égal
  - a) au montant des frais d'exploration admissibles, lorsque le pourcentage de tous les frais d'exploration admissibles engagé par la personne dans ledit puits est équivalent à l'intérêt actif de la personne dans le gisement exploré; et b) à zéro, dans tout autre cas.

### Rectification de certains frais d'exploration admissibles relatifs à des gisements de sables pétrolifières, de sables bitumineux et de schistes bitumineux

47. Lorsque les frais d'exploration admissibles qui doivent être rectifiés conformément au paragraphe 31(1) sont des frais mentionnés au sous-alinéa 66.1(6)a)(iii.1) de la Loi de l'impôt sur le revenu et sont engagés par une personne à l'égard de

oil sands deposit or oil shale deposit, the eligible exploration expense shall be adjusted to equal

- (a) where the percentage that the person incurs of the total eligible exploration expenses that are expenses described in that subparagraph in respect of the deposit is equal to or less than the lesser of
  - (i) the percentage that the undivided interest of the person in the deposit is of all undivided interests in the deposit, and
  - (ii) the percentage that the share of the person in production from the deposit or in the proceeds of the disposition of the production is of all such production or proceeds, as the case may be,

the amount of the eligible expense; and

(b) in any other case, zero.

gisements de sables pétrolifères, de sables bitumineux et de schistes bitumineux, le montant des frais d'exploration admissibles est rectifié de façon qu'il soit égal

- a) au montant des frais admissibles, lorsque le pourcentage du total des frais d'exploration admissibles qui sont engagés par la personne et qui sont mentionnés dans ce sous-alinéa, à l'égard du gisement, est égal ou inférieur au moindre
  - (i) du pourcentage de la participation indivise de la personne par rapport à la participation indivise totale dans le gisement, et
  - (ii) du pourcentage que représente la part de la personne dans la production extraite du gisement ou dans le produit de l'aliénation de la production par rapport à la totalité de cette production où à ce produit, selon le cas,
- b) à zéro, dans tous les autres cas.

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### CALCULATION OF EXPLORATION INCENTIVE

FORM PIP-01(1)

Summarize eligible expenses from all FORMS PIP-02, PIP-03 or PIP-05. Calculate amount payable on "Crown Share" by multiplying the sub-total of the eligible expenses by the applicable incentive rate. Calculate amount payable for each well or unit on "Other than Crown Share" by multiplying the eligible expenses after adjustment by the applicable incentive rate. If insufficient space, attach additional calculation sheets — FORM PIP-01 (1).

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### CALCULATION OF EXPLORATION INCENTIVE

FORM PIP-01(1)

tach additional calculation sheets -						,			NUM	CONTROL NUMBER FOR DEPARTMENTAL USE ONLY FOR DEPARTMENTAL USE ONLY						
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### CALCULATION OF DEVELOPMENT INCENTIVE

FORM PIP-01(2)

A - Canada Lands	ONLY
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× % =  Total "Canada Lands" Incentive	0

B - Lands Other Than

Canada Lands

### CALCULATION OF DEVELOPMENT INCENTIVE

то

FROM

Summarize eligible expenses from all FORMS PIP-02, PIP-03 or PIP-05 and calculate amount payable *for each* or *unit* by multiplying the eligible expenses after adjustment by the applicable incentive rate. If insufficient space tach additional calculation sheets — FORM PIP-01 (2)

INDICATE PERIOD COVERED

BY THIS APPLICATION

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at-		FOR DEPARTMENTAL USE ONLY
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UNIQUE WELL IDENTIFIER OR UNIT NAME (From applicable FORM PIP-02, FORM PIP-03 or FORM PIP-05)	PRIOR APPROVAL AND/OR ADVANCE RULING GIVEN (Check, if applicable)	ELIGIBLE EXPENSES (From lines 11 for 15 of FORM PIP-02) om line 11 of FORM PIP-03) (From line 02 or 16 of FORM PIP-05)	ELIGIBLE EXPENSES AFTER ADJUSTMENT (From line 15 of FORM PIP-02) (From line 11 of FORM PIP-03) (From line 24 of FORM PIP-05) (From line 27 of FORM PIP-05)	(Appendix 3 in Guide)		AMOUNT PAYABLE
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		Total Developmen	nt Incentive (Total of line	es 08 and 09	) 🕨	

(Enter on line 04 of FORM PIP-01)

#### CALCULATION OF ASSET COST INCENTIVE

FORM PIP-01(3)

Summarize eligible asset costs from all FORMS PIP-06 and calculate amount payable for each project by multiplying the eligible asset costs after adjustment by the applicable incentive rate. If insufficient space, attach additional calculation sheets—FORM PIP-01 (3).

CONTROL INDICATE PERIOD COVERED ENTITY NUMBER FROM то BY THIS APPLICATION MINISTERIAL CERTIFICATION NUMBER INCENTIVE RATE TOTAL ELIGIBLE ELIGIBLE ASSET COSTS ASSET COSTS
AFTER ADJUSTMENT AMOUNT PAYABLE (Appendix 3 in Guide) (From applicable FORM PIP-06) (From lines 08 or 09 of FORM PIP-06) (From line 17 of FORM PIP-06) \$ % = % = % = 02 Total of eligible asset costs Sub-total Total "Asset Cost" Incentive 03

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### **ELIGIBLE EXPLORATION OR ELIGIBLE DEVELOPMENT EXPENSES**

FORM PIP 02

Petroleum Incentives Program Use separate FORM PIP-02 for each well Do not include internal overhead in the well expenses. Internal overhead expenses are to be included on FORM PIP-01 (1) and (2). If the well is a Syndicated Test Well a written Ministerial Approval is required. No approval is required for a Crown Share Incentive. FOR DEPARTMENTAL USE ON Y CONTROL Part A-1—Identification SPUD DATE UNIQUE WELL TYPE DF EXPLORATION DEVELOPMENT ENTITY • DEVELOPMENT OF WELL IDENTIFIER nn. DD WELL PERIOD DURING WHICH APPLICANT S CANADA LANDS то FROM LOCATION LANDS OTHER THAN CANADA LANDS If the working interest relates to an earning expense and the well is situated on Canada lands, has the Agreement received approval under section 52 of the Canada Oil and Gas Act? "Yes" NET WORKING INTEREST LAND AREA TO WHICH EXPENSES RELATE TYPE OF MINERAL DISPOSITION PERMIT LEASE NUMBER LOCATION OF LAND AREA AREA HECTARES RIG RELEASE DATE TOTAL ANTICIPATED COST OF WELL \$ METRES DRILLED DURING PERIOD METRES METRES ☐ COMPLETED INDICATE OTHER ☐ ABANDONED ☐ CAPPED □ OIL GAS PROGRESS (Specify) STATUS OF WELL all, complete Part A-2. If not, proceed to Part B Part A-2—Substitute Well DATE OF DEPTH REACHED REASON FOR ABANDONMENT **ABANDONMENT** WHEN ABANDONED METRES (If space insufficient, attach additional page(s) DD SPUD DATE OF DISTANCE OF SUB-UNIQUE WELL SUBSTITUTE STITUTE WELL FROM ABANDONED WELL IDENTIFIER WELL Part B-Breakdown of Eligible Expenses (Must be completed in all cases) - Exclude Canadian Exploration and Development Overhead Expenses (Attach Detailed Cost Summary as outlined in the Applicant's Guide) Earning or Acquired Expenses Total Applicant's Percentage Applicant's Expenses of Expenses 01 - Intangible drilling expenses -02 - Abandonment expenses - - - -% 03 - Intangible completion expenses -× % 04 - Other (specify) % Total Total Penalty Expenses - Intangible drilling expenses -× - Abandonment expenses - -% 0.7 × ១ខ Intangible completion expenses – % 09 - Other (specify) % Total Total 1.0 m Total Eligible Expenses (Total lines 05 and 10) (If expenses relate to Crown Share only, enter mount on FORM PIP-01(1) Note: Do any of the above expenses include charges incurred in a non-arm's length transaction?

Form prescribed pursuant to the Petroleum Incentives Program Regulations

Canadä

Applicant's Guide

YES . NO. If "YES", provide details on a separate sheet of paper. Consult the

(Cette formule est également disponible en français)

otherwise enter on line 13 on reverse )

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Part C—Expens (1) Complete this (Check applicab)	s par	t if ap					tmer	its un	der a	Canad	lian C	onten	t provis	sion.			
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Exce	eption	n und	er th	e Car	nadian Conte	nt for	the c	luratio	n of a	ın agr	eemer	nt pro	vision (	Refer to	question	s below)	
dura Ifye Ifye	tion o	of the the dicat	expe	enses perio	usly applied nt provision? in this applied od to which F s of FORM P	cation	relat	e to th	NO nat ag	reeme	ent?	MM	S []	NO	MM DO	e	
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(2) Complete this October 28,			plyin	g for	exception to	adjus	tmer	its un	der a	writte	n agre	emen	t enter	ed into	on or befo	ore	
DATE AGREEMENT PRITERED INTO	YY	MM	DD	BY A	DD COVERED BREEMENT	FROM	YY	мм		10	ММ	DD	28, 198	30?	OCTOBER	☐ YES	□ NO
NF ' YES" INDICATE DATE OF AMENDMENT(S	S) Þ	YY	MM	DD	SUMMARIZE NA	ATURE (	OF AM	NDME	NT(S) (I	f insuffic	ient spa	ce, attac	h additio	nal docume	entation)		
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Note: If the applicant does	not ha	ve "Exp	penses	Total Subject		Not Si	ubjec	t to A	djust	ment						FORM PIP	15.
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(2) Break down by the appro						Adjust	men	ts'' (lir	ie 16	)					Expenses to Adjus	Subject	
(a) Earning Expo Part B(1) (a)	ense:	s (Co	mple	te an	d attach FOF	RM PII	P-14	(1) an	d FOI	RM PI	P-15			\$		miletti.	17
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(d) Syndicated FORM PIP-1	Test \	Well (	Com	plete	and attach										iter on line 19 o		20
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Energy, Mines and Resources Canada

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	any of the above express", provide details									'Yes''	□ "N	lo".						
			Form o	rescribed	nursuant to	the Petrole	um loce	ntives D		Regulati	one							

TB-REG B-5062-1

Energy, Mines and Resources Canada

Petroleum Incentives Programs

Énergie, Mines et Ressources Canada

### CALCULATION OF EXPLORATION INCENTIVES RELATING TO GEOPHYSICAL, GEOLOGICAL AND/OR GEOCHEMICAL PROGRAMS

FORM PIP-04

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Part A - Pro	gram Produc	ed by	Applic	ant (	OR by	a Cor	tractor	for A	ppli	icant									
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	TYPE OF PROGRAM	•	NO. OF	EOPHY	SICAL		☐ GEOLOGICAL ☐ GE					EOCHEMICAL REPROC			CESSI	NG/ NON			
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	* If a member o	f a group	, list name		ther part	<b>Appli</b>		otal S	har	e of E			·	= <sup>05</sup> \$ \$ <u>=</u>	%			0	6
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Form prescribed pursuant to the Petroleum Incentives Program Regulations

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### Part B - Purchased by Applicant

• To be used for purchases on both Canada Lands and lands other than Canada Lands.

Purchase 1									
Purchase 1	TYPE OF PROGRAM		GEOPHYSICAL	☐ GEOLOGICAL		GEOCHEM	CAL		
	VENDOR'S AUTHORIZATION		, or the		DATE VENDOR PROGRAM BE		YY	MM	DD
	LOCATION TO WHICH PROGRAM RELATES		CANADA OR LANDS	PROVINCE OF					
	NOTICE OF FIRST EL (Required only for purchas	GIBLE P	URCHASER ATTACHED (FORM is other than Canada Lands.)	PIP-12)		Written noti	ice prev the Min nds only	iously ister	
	Eligible Expenses		hase Price paid by appl	sicant <u></u>	1	3			
Purchase 2	TYPE OF PROGRAM		GEOPHYSICAL OF KM	GEOLOGICAL		GEOCHEMI	CAL		
	VENDOR'S AUTHORIZATION		OF RM		DATE VENDOR PROGRAM BE		YY	ММ	DD
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Purchase 3	TYPE OF PROGRAM	I NO	GEOPHYSICAL OF KM	GEOLOGICAL		GEOCHEMI	CAL		
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	NOTICE OF FIRST ELI	GIBLE P	URCHASER ATTACHED (FORM s other than Canada Lands.)	P(P-12)		Written noti	the Mini	ster.	
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Canada Land	s-	Purc	hase Price paid by appli		15	16			
Canada Land	s—	Purc	e Expenses — — — — ams and purchases)	icant	×Incentives				_47
	s—	Purc Eligibl all prog	e Expenses — — — — ams and purchases)	Rate (Appendix 3 in Guide) Total	×	16			_47
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Energy, Mines and É Resources Canada F Petroleum Incentives Pi	nergie, Mines et lessources Canada	ELIGIBLE	EXPENSES	IN RESE	ECT	OF A	UN	IIT AGR	EEN	MENT		FORM PIP-
Part A—Identification_	-3		ENTITY NUMBER	<b>&gt;</b>		FOR DEP	ARTI	MENTAL USE CON NUM	TRO			
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art B—Exception to A	djustments											
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UMMARIZE NATURE OF AMENDM	ENT(S) (If insufficient space,	attach additional doc	umentation)									
(3) Is the applicant of	te Part C. Otherwise	e, proceed to Pa tments under th	art D. ne Canadiai	Content	Provi				es'' es''		No''	
Part C—Applicant's Ur												
Does the applicant ha		st in each unit tr		-				-				
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	Appli	cant's Share of	Total Unit I	Expenses	; :	i			01			
		otal Applicant's			; <sub>=</sub>				0	2		
					(Er	nter on FC	ORM	PIP-01(1) or	(2))			
Part D-Applicant's Tr	act Participation_											
To be completed onl	y if eligible expenses	are subject to	adjustment	\$.								
1	2	3	4			5					6	
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Part E—Calculation of In	terest Reduction Fa	ctor										
Determine a reduction factor			net or gros	s interest	charo	ed an	ains	st the an	plica	ant's wor	kina	interest.
	in in respect or each a	The trace for cach										
Unit Tract Number				TYPE OF INTEREST	I Inc	TEREST	П	P C	П	P P	П	NTEREST
	NAME OF HOLDER			BROSS NET	(Se on	e Note 1 Reverse)		(See Note 2 on Reverse)		(See Note 3 on Reverse)	Я	EDUCTION FACTOR
					×		X		÷		=	
					×		×		÷		=	
					×		X		÷		=	
					To	tai Int	tere	est Redu	ıctio	on Factor	r L	
Determine Net Working nterest Percentage	100%	_	- % =			% >	×			- % =		09
	100%	REDUCTION	_ /0 _	ADJUSTM FACTO	ENI	/0 /	^	WORKIN	∳G ST	, •	NE	T WORKING NTEREST
Canadä'		REDUCTION FACTOR scribed pursuant to the		FACTO	R	,		INTERES	∳G ST			B-REG. B-506

[53]

nit Tract Number													
	NAME OF HOLDER	'			TYPE C INTERES GROSS N enter en	ST T	INTEREST (See Note 1)		P C (See Note 2)		PP (See Note 3)		INTEREST REDUCTION FACTOR
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termine Net Working erest Percentage	<b>&gt;</b> 100	RE	DUCTION	% =	ADJUS FAC	TMENT	- % >	< -	WORKING	_	% =	NET IN	WORKING
t Tract Number								_				_	
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	NAME OF HOLDER					ET iter	INTEREST (See Note 1)		P C (See Note 2)	,	P P (See Note 3)		INTEREST REDUCTION FACTOR %
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	<b>b</b> 400	.07											
erest Percentage	entage of oil or	ntage or hiç	which th	e net or	gross	inte	erest is c	ha	rged.	as :	% = -	11	T WORKING NTEREST
otes: —1. Enter predete 2. P.C. — Perce 3. P.P. — Perce	rmined perce entage of oil or intage of oil or djusted Eligit gible expenses	ntage or hig r gas upon r gas out of	ghest pe which th which th	ercentag le net or ne net or	e if the	inte	erest is orest is cerest is p	hai	culated a rged.		a range o	of p	percenta
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erest Percentage  otes: — 1. Enter predete: 2. P.C. — Perce 3. P.P. — Perce  art F—Calculation of Ac Calculate adjusted elig with Part D on reverse UNIT TRACT NUMBER	rmined perce entage of oil or entage of oil or djusted Eligit gible expenses e.	ntage or hig r gas upon r gas out of Die Expens s for each tra	ghest pe which th which th	ercentag le net or ne net or out belo	e if the gross r gross	inte inte inte	erest is c rest is c erest is p ts and re	calchain baid	culated a rged. d.  vant expe	ns	es must c	orr	percentaç
3. P.P. — Perce  art F—Calculation of Ac  Calculate adjusted eliq  with Part D on reverse  UNIT TRACT NUMBER	rmined perce entage of oil or entage of oil or djusted Eligit gible expenses e.	ntage or hig r gas upon r gas out of Die Expens s for each tra	ghest pe which th which th	ercentag le net or ne net or out belo	e if the gross gross w. Unit	interinte	APPLICAN EXPENSE P	calchain baid	culated a rged. d.  vant expe	ns	es must c	orr	percentaç
otes: — 1. Enter predete. 2. P.C. — Perce 3. P.P. — Perce art F—Calculation of Ac Calculate adjusted elig with Part D on reverse	rmined perce entage of oil or entage of oil or djusted Eligit gible expenses e.	ntage or hig r gas upon r gas out of Die Expens s for each tra	ghest pe which th which th	ercentag le net or ne net or out belo	e if the gross gross w. Unit	interinterinterinterinterinterinterinter	erest is crest is corest is perest is perest.	calchain baid	culated a rged. d.  vant expe	ns	es must c	orr	percenta

Energy, Mines and Resources Canada Resources Canada ELIGIBLE ASSET COSTS	FORM PIP-06
Petroleum Incentives Program	FOR DEPARTMENTAL USE ONLY
Use separate FORM PIP-06 for each project  EN  EN  EN  EN  EN  EN  EN  EN  EN  E	NTROL MBER ITITY
MINISTERIAL CERTIFICATION NUMBER CERTIFICATION NUMBER	IINISTERIAL
PERIOD DURING WHICH THE  COSTS WERE INCURRED  FROM  YY  MM  DD  TO  YY  MM  DD  APPLICANT'S  WORKING  INTEREST	APPLICANT'S OPERATING NITEREST %
LOCATION OF PROJECT	
Part A—Breakdown or Eligible Asset Costs (Must be completed in all cases)	
Cost Items (attach detailed cost summary)	
Purchase Price of Equipment \$	01
Installation Cost	02
Other (Specify)	03 \$
	07
Part B—Costs Not Subject to Adjustments	
(1) If applying for exception to adjustments under the \$500,000 Rule, enter amount on line 05 below	ow.
(2) Complete this part and FORM PIP-13 —Asset Costs if applying for exception to adjustments und tent provision.  (check applicable box)  General Canadian Content provision  (Refer to questions below)	
Has the applicant previously applied for exception to adjustments under the Canadian Content fragreement provision?   Yes   No. If "Yes", do the costs in this application relate to that   Yes   No. If "Yes", indicate period to which the FORM PIP-13 applies   YY   MM   If "No", complete all parts of FORM PIP-13 —Asset Costs.	
(3) Complete this part if applying for exception to adjustments under a written agreement entered October 28, 1980.	into on or before
FROM TO AMENDED AFTER YES NO D	YES INDICATE ATE OF MENDMENT
	(If insufficient space, attach additional documentation)
List below the eligible asset costs not subject to adjustment.	
(a) Eligible Asset Costs incurred under	
the \$500,000 Rule	05
Canadian Content provision	06
(c) Eligible Asset Costs incurred under a written agreement on or before October 28, 1980 – – – – – – – – – – – – – – – – – – –	07
Total Asset Costs Not Subject to Adjustments	(Enter this amount
NOTE: If the applicant has "Asset Costs Subject to Adjustments" (line 09) enter amount (line 08) on line 16 on reverse.	on FORM PIP-01 (3))
Asset Costs Subject to Adjustments (line 04 less li	(Enter this amount on line 14 on reverse)

Form prescribed pursuant to the Petroleum Incentives Program Regulations

TB-REG B-5062-1

(Cette formule est également disponible en français)

Canadä

Part C—Ajustments				
Applicant's Share of Costs (CP) — — Applicant's Operating Interest Percent Interest Percentage (IP) — — — — — Net Working Interest Percentage (NW)	age (OIP)			% 10 % 11 % 12 % 13
Calculate the "Adjusted Asset Cost" using t	he formula below.			
	Asset Costs subject to adjustments (Line 09 of reverse)	X *IP CP	Eligible Asset Co	
*IP - is the lesser of NWIP and OIP (use the	lowest NWIP as per FORM PIP	-14(1))		
Total Asset Costs No	ot Subject to Adjustments(From	line 08 on reverse)	\$	16
Total Eligible Asset	Costs after adjustment (Total o	of lines 15 and 16)	\$ (Enter on FORM PI	P-01(3))

+	Energy	, Mines	and inada	Éner	gie, Mir ources	nes et	ada				ELI	GIBI	LE EXP	ENSES	IN					FOR	M PIP-07
	Petrole	eum Inc	entives	Progra	am					RESPE	CT O	FAE	DRILLIN	IG CON	ITRIBU	TION	N				
• Cor	mplete	separ	ate F0	ORM	PIP-0	7 fo	r each	well.								FO	R DEPAR	TMENTA	AL USF	ONLY	
	A—Ide		ation												CONT		•				
NAME O RECEIVI CONTRI	F PERSO ING BUTION	N ▶													ENTIT		•		1	1 1	1
BUSINES	SS	•		Street a						(City)					(Province	9)				(Postai	Code)
THIS CO		10N P	FROM	YY	ММ	DO	то	MM	DD	UNIQUE WEI	_ ▶						Ì				
WORKIN THE PER CONTRIL	IG INTER RSON RE BUTION	EST OF CEIVING		•		%	COMPI THE DI	LETION RILLING	DATE C	OF .	<b>)</b>	Y	MM DD		AGREEM RED INTO			•	YY	ММ	DD
Part E	3—Ca	nada	Land	s (C	omple	ete it	applic	cable)	)												
is the	persor	recei	ving tl	ne dri	lling c	ontr	ibution	Cana	dian (	Controlled?								□ Y	es/		No
If "Yes	s'', indi	cate th	ne per	son's	Cana	adiar	Owne	ership	Rate												%
Applic	ant's C	anadi	an Ow	ners	hip Ra	ate –												_			%
										anadian Ow be adjusted			ate with	in the sa	ame rai	nge d	or high	ner ra	nge t	than	
														\$							
								Tot	al Eli	gible Drillir	ıg Co	ntrib	ution				01				
								lr	centi	ive Rate (Ap	pendix	3 in G	iuide) >	<		_ %		s			
										Incentive					ntribu		•	Entor on	line 02	al FOR	0 2 VI PIP-01)
																	(	Enter on	ime U3	OT FUR!	W PIP-UT)
Part (	C—La	nds C	ther	Thar	n Car	nada	Land	s (Co	mple	te if applica	able).										
	applicating co			ial ho	lder c	of a v	vorking	inter	est in	lands contig	guous	to th	ne lands	in whic	h a we		rilled Yes	by the		rson	
															_		Per	mrt/Lease	e Numb	er	
If "Yes	s", pro	vide p	ermit	or lea	se nu	mbe	r(s) - (	1) lan	d area	a in which a	well is	s dril	led. – -		- L			mit/Leasi			
							- (		d(s) c Irilled	contiguous t	o the	lands – –	s in whi	ch a we			rer	mit/Leas	e Numbe		
If "No"	", the c	frilling	contri	butio	n mus	st be	adjust	ed to	Zero.						L						
														5							
										gible Drillin		ntrib	ution				03				
								Ir	centi	ive Rate (Ap	pendix	3 in G	iuide) >	<		_%		\$			
										Incentive	in re	spec	t of dri	lling co	ntribu	tion	•	Enter on	line 03	of FORM	0 4 4 PIP-01)
						_	Form pre	scribed	nursuar	nt to the Petroleu	m Incen	tives P	rogram Re	gulations						-	
																			Te	REG E	3-5062-1

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Energy Resour

Energy, Mines and Resources Canada

Petroleum Incentives Program

#### STATEMENT OF RECONCILIATION

FORM PIP-08

To be completed by a Corporation which has incurred Eligible Exploration Expenses and/or Eligible Development Expenses, including expenses incurred in consideration for shares of the corporation, and/or Eligible Asset Costs.

art A - Io	dentifica	tion					
AME OF PPLICANT	•				ENTITY NUMBER		1 1
AILING DDRESS	<b>&gt;</b>	(Street and No.)	(City)		(Province)		(Postal Code
				THIS STATEM THE FISCAL P	ENT COVERS ERIOD ENDING	•	YY MM
		ation of Eligible Exploration Ex					
expense	es incurre	on Expenses (EEE) incurred during to ed in consideration for shares of the	corporation pursuant		\$		
to supp	aragraph	66.1(6)(a)(v) of the Income Tax Act		\$			(
		ation Expenses (CEE), as defined in act, made or incurred during the fisca		•			
the inco	me rax A	tet, made or incurred during the list.	ai yeai ———————		02		
		ncurred in respect of a mineral resou					
		I in subsection 248(1) of the Income than a bituminous sands deposit, oil					
		oil shale deposit referred to in parag					
		f	03				
-1	Amounts o	described in subparagraph 66.1(6)(a	a)(iv) of				
t	the Incom	e Tax Act in respect of a partnership	04				
	Amounts i of Alberta	ncurred in the Province	05				
		Total (lines 03, 04	and 05)		06		
		Net Canadian Exploration Expe	nses (line 02 minus line 06)		<b>&gt;</b> _		
			Variance (lin	e 01 minus	line ()7)		
Where t	the amour	nt on line 01 is greater than the amou					
		ation of Eligible Development Endian Development Expenses (C					
Eligible	Developn	nent Expenses (EDE) incurred durin	g the fiscal year including		\$		
expens	es incurre	ed in consideration for shares of the	corporation pursuant				
to subp	aragraph	66.2(5)(a)(v) of the Income Tax Act					

Form prescribed pursuant to the Petroleum Incentives Program Regulations

TB-REG B-5062-1



Occasion Booking and a second	(From line 09 on reverse)	10
Canadian Development Expenses (CDE), as defined in paragraph 66. of the Income Tax Act, incurred during the fiscal year	2(5)(a) \$	
Less: Amounts incurred in respect of a mineral resource as defined in subsection 248(1) of the Income Tax Act other than a bituminous sands deposit, oil \$ sands deposit or oil shale deposit referred to in paragraph (c) thereof — — — — — — — — — — — — — — — — — — —	12	
Amounts described in subparagraph 66.2(5)(a)(iii) of the Income Tax Act in respect of a Canadian resource property — — — — — — — — — — — — — — — — — — —	13	
<ul> <li>Amounts described in subparagraph 66.2(5)(a)(iv) of the Income Tax Act in respect of a partnership — — —</li> </ul>	14	
and -Amounts incurred in the Province of Alberta	15	
Total (lines 12, 13, 14 and 15)	16	
Net Canadian Development Expenses (line 11 mi	nus line 16)	17
next D. Reconciliation of Elizible Accest Costs and Costs Costs	of Access	
Part D - Reconciliation of Eligible Asset Costs and Capital Cost  Eligible Asset Costs incurred during the fiscal year ————————————————————————————————————		
Less: Capital Cost, for income tax purposes, of eligible assets acquir (Other than costs incurred in the Province of Alberta)	ed during the fiscal year	20
Where the amount on line 19 is greater than the amount on line 20, pr	_	21
Whole the which the control of the greater than the which the control of the greater than the control of the co		
Hereby Certify that		
or	fficer of the Corporation	
Name (print)	Title (if signing office	cer)
Signature	Telephone No.	Date
Signature	, Disp. 10. 10.	

	rgie, Mines et sources Canada			ST	ATEM	ENT	OF AI	DJUS	TMENT		F	ORM	PIP-09
Petroleum Incentives Progra									CONTROL NUMBER	RMENTAL	USE ON	_Y	
Part A - Identification									ENTITY	T			
NAME OF APPLICANT									NUMBER				
APPLICATION PERIOD TO WHICH THIS ADJUSTMENT APPLIES	<b>•</b>	FROM	YY	MM	DD T	0 44	ММ	DD	UNIQUE WELL IDE UNIT NAME/MINIST CERTIFICATION NO	ERIAL	O WHIC	н	
PERIOD DURING WHICH COSTS OR EXPENSES WERE INCURRED TO WHICH THIS ADJUSTMENT APPLIES	· •	FROM	YY	MM	DD 1	O	MM	DD	THIS ADJUSTMEN	APPLIE:	S		
Part B - Particulars of Adju TYPE OF ADJUSTMENT  DEVELOPM	STMENT PROPERTY OF STREET STRE	ELIG	IBLE A	SSET				□ AD.	JUSTMENT FORMUL	AS RS REVI	SED		
	ily by number)												_
Describe the nature of the a required, submit amended of			the re	evisec	1 incer	ntive	calcula	ation.	Where extensi	ve revi	sions	are	
Initial Incentiv Revised Ince Overpaymen	ntive — — — — - it/Underpayment — — -	:					= =	\$		01 02 03			
	ques payable to the Recei 15, Station E, 99-4th Ave							):					
I Hereby Certify That or and	☐ I am the individual na☐ I am the authorized to the best of my knowle and this adjustment is in and Regulations pursuant	signing edge an complia	office d bel	er lief, th	ne info								1
					_								
Name (p	rint)								Title (if signing officer	)			
Signatu	re				_		Telephone	e No			Date		
	Form proporthad pursu	and to the	Potrolo	um lana	ntivos P	roorom	Poquiatio	000					

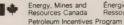


TB-REG B-5062-1

	anada Ressour entives Program	rces Car	nada						ELIGI	FORECAST BLE EXPEN	NDITUE						FORM 1	P-10
<ul> <li>Complete this for the fiscal period</li> <li>Part A - Identific</li> </ul>	orm only if elig for which an	ible co	osts o ant is	r exp or wi	enses Il be er	out	tside ed to	the Pro	ovince e ince	of Alberta antives.	are ant	CONTI	FOR D	CEPARTI				
NAME	ation					_						ENTITY	,	•	!	!	1 !	!
ADDRESS Head Office, if			(Street a	nd No.)					(City)	,		(Provir				+	(Postal C	ode)
Corporation)  EGAL STATUS	☐ CORPOR	RATION	☐ TF	UST		PART	INERS	HIP (		IVIDUAL	WHICH	L PERIOD	ENDING	TO	•	YY	ММ	DD
lort P. Disalosu	ro of Conor	lian O		- hi	and		-41				APPLI						-1	
Part B - Disclosu Complete if intendi									on Ca	nada Lands.								
CANADIAN OWNER CERTIFICATE N (if available	NUMBER		OF ISSI	JE	FRO	M		Y CERTIF		C.O.R.	co	ANADIAN NTROLLED (Check)						
		YY	MM (	00	Y MA		00 Y	Y MM	DD		% YE	S NO						
Part C - Forecas	t of Eligible	Expe	nditu	res						Lands Oth Canada I		n	Car	nada	Land	ls		
									\$			\$						
Explora	ition Expense	s							_								_	
Develop	pment Expens	ses – -							_		,,						_	
Asset C	Costs								_								-	
							Tot	als										
							000	ALELA	-								_	
Hereby Certify T	hat						- Cer	tificat	ion —									
	or 🗆	l am						s fored	cast									
									ha inf	ormation he	rain ie i	ruo co	rrect	and c	omn	loto		
	and		oreca	st is	in com	plia	nce v			sions of the							and	
	Name (pri	int)					-		-			Title (if:	signing o	fficer)				
	Signatur	'e					-		-	Telepho	one No.		-			Date		
			Form	presci	ibed pur	uant	to the f	Petroleum	n Incenti	ves Program Reç	gulations						REG B	

Canada

(Cette formule est également disponible en français)



and Énergie, Mines et lada Ressources Canada

#### WAIVER IN RESPECT OF AN AMOUNT OF AN INCENTIVE



This form is for use by a qualified person to waive an incentive or any portion thereof in accordance with the Petroleum Incentives Program Act. By the execution of this waiver the qualified person who applies for an incentive shall be deemed to have received the amount of an incentive or any portion thereof, as the case may be, to which the applicant is entitled in accordance with the Petroleum Incentives Program Act.

For the purpose of claiming a tax credit under the Petroleum and Gas Revenue Tax Act a fully completed waiver shall be forwarded to the Petroleum Incentives Program, Department of Energy, Mines and Resources, P.O. Box 4515, Station "E", 99-4th Avenue, Ottawa, Ontario, K1S 5B5, on or before the due date for filling the Production Revenue Return (PG1) under the Petroleum and Gas Revenue Tax Act.

The waiver shall be signed by the qualified person who is an applicant for an incentive under the Petroleum Incentives Program Act, himself, if an individual, or if a corporation or a trust, by the authorized signing officer with the authority to bind the corporation or trust. In the case of a corporation, the corporate seal shall be affixed.

The waiver shall be filed with each application for an incentive under the Petroleum Incentives Program Act, with respect to which the amount of incentive waived relates.

					PETROLEUM AND GAS REVENUE TAX ACCOUNT NUMBER	•	
NAME OF INDIVIDUAL, CORPORATION OR TRUST	•	(Print)					
ADDRESS •	(Street a	nd No.)		(City)	(Province)		Postal Code
WAIVER FOR THE TAXATION YEAR ENDING	•	YY MM	DD	PERIOD DURING WHICH THE ELIGIBLE COSTS EXPENSES WERE INCURRED FOR WHICH AN A INCENTIVE IS BEING WAIVED FOR THE TAXATIC	MOUNT OF FROM	MM DD TO	YY MM DD
DUE DATE FOR FILING THE RETURN (PG1) UNDER THE REVENUE TAX ACT FOR TH	PETROLEUR	M AND GA		YY MM DD	CENTIVE WAIVED \$		

For the purpose of claiming a tax credit under the Petroleum and Gas Revenue Tax Act, the above amount of an incentive or any portion thereof and all rights to receive that amount or any portion thereof are hereby waived in accordance with the Petroleum Incentives Program Act.



Form prescribed pursuant to the Petroleum Incentives Program Regulations

TB-REG B-5062-1

(Cette formule est également disponible en français)



FORM PIP-12

FOR DEPARTMENTAL LISE ONLY

## **1** • 5

Energy, Mines and Resources Canada
Petroleum Incentives Program

Énergie, Mines et Ressources Canada

# NOTICE OF FIRST ELIGIBLE PURCHASER GEOPHYSICAL, GEOLOGICAL AND GEOCHEMICAL PROGRAMS

					NUMBER				
art A					ENTITY NUMBER	<b>&gt;</b>	1		1 :
	omplete	ed by purchaser onl	v if eligible for Petrole	um Incentives on lands					
		la Lands.	y ii englisio foi i etrole	an mochives on lands					
AME OF URCHASER	•								
DDRESS	•	(Street and No.)	(City)	(Provin	ce)		(F	ostal C	ode)
YPE OF ROGRAM	•	☐ GEOPHYSICAL	GEOLOGICAL	☐ GEOCHEMICAL	DATE OF PURCHASE	•	YY	ММ	DD
ROGRAM		☐ GEOPHYSICAL	LJ GEOLOGICAL	LJ GEOCHEMICAL	PURCHASE				<u> </u>
art B									
To be	comple	ted by the vendor u	pon request by the ab	ove-stated purchaser.					
		endor's Authorization							
		is number is obtained from F sdiction when applying for e							
	Da	ate Vendor's Progra	m Began	YY MM	DD				
			3						
	De	oto Broarom Comple	tod	YY MM	DD				
	Da	ate Program Comple	rieu						
				\$					
	To	otal Purchase Price							
f a group	purcha	ase, indicate purcha	ser's percentage share		%				
					70				
NAME									
OF VENDOR Print)	•								
TITLE									
If signing office	r) ,	(Charactered No.)	(City)	(Provir	nce)		- 1	Postal (	Code)
ADDRESS	•	(Street and No.)	(Спу)	(1104)	,		,	-	,
						DATE	YY	MM	DD
SIGNATURE	•					DATE			

Form prescribed pursuant to the Petroleum Incentives Program Regulations



TB-REG B-5062-1

# DISCLOSURE OF CANADIAN CONTENT PARTICIPANTS EXPLORATION AND/OR DEVELOPMENT

FORM PIP-13

This Form is to be completed when applying for exception to adjustments under a Canadian Content provision.  Part A—Identification  UNITNAME TO WHICH THIS FORM APPLIES OR UNIQUE WELL IDENTIFIER(S)  WELL LOCATION  PERIOD TO WHICH THIS FROM Y MM DD TO YY MM DD TO YY MM DD TO YY MM DD TO YY MM DD TO TO WHICH THAN CANADA LANDS  LANDS OTHER THAN CANADA LANDS  LANDS OTHER THAN CANADA LANDS  AGREEMENT  VY MM DD AGREEMENT	[ ] GENERAL CANA	ADIAN CO	INTENT PROVISION	[] CAN	IADIAN CONTENT FOR THE DU	RATIO	N OF	AN AC	GREEM	ENT P	ROVIS	SION		
adjustments under a Canadian Content provision.  Part A—Identification UNITAME TOWHICH THIS UNITAME TOWHICH THIS PERIOD TO WHICH THIS PROWN ADDRESS PROWN AD	WELL LOCATION	•	[] CANADA LANDS	1					NT		•	YY	MM	00
adjustments under a Canadian Content provision.	THIS FORM APPLIES OR	•				Ī.	ROM	YY	ММ	DD	10	YY	MM	DD
CONTROL	Part A—Identification								•		1		-	1
				ption to					FOR D	EPART	MENTA	AL USE	ONLY	

## Part B-Agreement Participants

1 — List the full name of each person or entity who owns or is entitled to own a working interest in the land area to which the eliqible expenses relate.

NAME OF OWNER	IN	WOR TERES	ST.	C.O.R.	CANA CO TROI	N-	WORKING INTEREST	
	YY	мм	DD	%	YES	NO :	%	

2—List the full name of each person or entity who owns a gross or net interest charged or to be charged against the applicant's working interest.

NAME OF OWNER	IN	DATE TERES QUIRI	ST.	C.O.R.	CC	ADIAN ON- LLED	INTE	REST	INTEREST
	YY	мм	DD	%	YES	NO	GROSS	NET	%

See "Asset Costs" on reverse

From prescribed pursuant to the Petroleum Incentives Program Regulations

TB-REG B-5062-1

Canadä

(Cette formule est également disponible en français)

## DISCLOSURE OF CANADIAN CONTENT PARTICIPANTS ASSET COSTS

This Form is to be completed adjustments under a Canadian		eption to						ITROL IBER	FOR DE	PARTM	IENT/	AL USE	ONLY	
Part A—Identification							ENT	ITY ABER	•		1	1 1	- 1	1
MINISTERIAL CERTIFICATION NUMBER. TO WHICH THIS FORM APPLIES				DD TO V	VHICH T	HIS	FROM	YY	ММ	DD	то	YY	ММ	DD
WELL LOCATION	☐ CANADA LANDS		DS OTH	HER THA	AN			E OF EEME	NT		•	YY	мм	DD
GENERAL CANADIAN CO	DNTENT PROVISION	☐ CAN	ADIAN	CONTE	NT FOR	THE DURAT	ION OF	AN AC	GREEME	NT PF	ROVIS	SION		
Part B—Agreement Participa (1) List the full name of each pereligible costs relate.		or is entitled	to ov	vn a w	orking	g interest	in th	e lane	d area	to w	hic	h the		
NAME OF	OWNER		1	E WORI	ST	C.O.R.	C	ADIAN ON- LLED		WORK				
			YY	мм	DD	%	YES	NO		%				
applicant's working interest.	OWNER			DATE NTERES CQUIRE		C.O.R.	C	ADIAN ON- LLED		INTER	EST			
			YY	мм	DD,	%	YES	NO		%				
(3) List the full name of each per the eligible asset costs relate		or is entitled	l to ov	vn an	opera	ting inter	est in	the	projec	t to v	whic	ch		
NAME OF	OWNER		1	OPERA NTERES CQUIRE	ST	C O.R	C	ADIAN ON- LLED		INTER	EST			
NAME OF	OWNER		YY	мм	DD	%	YES	NO		%	)			

See "Exploration and/or Development" on reverse

Energy, Mines and Resources Canada Petroleum Incentives Program

#### NET WORKING INTEREST PERCENTAGE CALCULATION

FORM PIP-14(1)

a If con	on incuffic	ient attach	additional	EODMA(C)	DID. 1 /	(4)

Complete separate form for Asset Costs, if applicable.

art A—Identification											CONTR		<b>•</b>			
NIQUE VELL DENTIFIER	TH	RIOD TO WHICH HIS FORM PLIES	FROM	77	ММ	DD	то	YY	ММ	00	ENTITY		FOR DEPAR	TME	NTAL USE C	NLY I
	17	T EIEO		1 1			-				1				1 1 1	
rt B—Disclosure								_		_		_		_		
Net Working Interest Land	I Area							_				Ente	er on line 07 o	1 FC	Hectar	es
Describe below any zones	or substance	s underlying	the land	area i	in whi	ich t	he a	ppl	icant	does						
ZONES AND/OR	SUBSTANCES EXC	CLUDED								RE	ASONS					
												_				-
art C-Working Interest.																
Working interest of the app	plicant in the N	et Working I	nterest L	and A	rea –									Œ	nter on line	%
														1	nter on line 2 of Part E)	
Is the applicant evaluded fr	rom calculating	reduction fo	ctor(e)?	Π	VES"		"NO"									
Is the applicant excluded fr				_ ···	YES"		"NO"									
If "YES", proceed to Part E,	If "NO", comple	ete Parts D a	nd E.	O ""	YES"		"NO"									
If "YES" proceed to Part E, art D—Calculation of Into	If "NO", comple	ete Parts D a	nd E.						orking	inte	proct lon	d	aroa If in		rocts w	***
If "YES", proceed to Part E, lart D—Calculation of Intest gross or net interest related	If "NO", completerest Reducting to the apple	ete Parts D au tion Factor. licant's worki	nd E.	st in th	he rel				vorking	j inte	erest lan	d a	area. If in		rests we	re
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(Cette formule est également disponible en français)

## 14

Energy, Mines and Resources Canada
Petroleum Incentives Program

### DETERMINATION OF NET WORKING INTEREST PERCENTAGE REQUIRED FOR EQUIPPING AND POST-EQUIPPING EXPENDITURES PERCENTAGE ADJUSTMENT

FORM PIP-14(2)

- If space insufficient, attach additional FORM(S) PIP-14(2)
- Where working interest varies, calculate a Net Working Interest Percentage in respect of each Working Interest using a separate FORM PIP-14(2). Use the Lowest Net Working Interest of all FORMS PIP-14(2) in FORM PIP-02.
- If Equipping or Post-Equipping Percentage exceeds the Lowest Net Working Percentage, the eligible expenses in respect of this well must be adjusted to zero.

NIQUE WELL DENTIFIER	•			PERIOD TO WHICH THIS FORM APPI				FR	MC	77	MN	1	ro	YY MM	DD
Working interes	t of	the applicant in the Net	Working Interes	st Land Area -										er on line 11 of Part C)	% <b>0</b>
art B—Calcula	tion	of Interest Reductio	on Factor				_								
		and Net Interests chargest in the Net Working I													
		NAME OF INTEREST OWN	NER .			E OF REST NET (Enter		Interest (See Note 1)		P C. (See Note 2		P.P (See Note	3)	INTEREST REDUCTION FACTOR	1
					,3)	("1")	Y	70	Y	70	+	70	-	70	. 02
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					L_		X		X		÷		=		07
					10	otaii	nte	erest Re	eau	iction i	·ac	tor	E	nter on line 09	0.8
													-	of Part C)	
2. P.C	—Pe	e-determined percentage ercentage of oil or gas u ercentage of oil or gas o	ipon which the	net or gross in	teres	t is c	ha	rged.	ed .	as a ran	ge	of per	cen	tages.	

From prescribed pursuant to the Petroleum Incentives Program Regulations

Deduct: "Total Interest Reduction Factor" (from line 08 in Part B) (Enter zero if no adjustment) - - - - -

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% 09

\_% 11

\_\_\_\_\_% 10

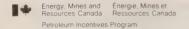
\_\_\_\_\_% 12



(Cette formule est également disponible en français)

Total Adjustment Factor

Net Working Interest Percentage (Multiply lines 10 by 11)



# ADJUSTMENTS TO ELIGIBLE EXPLORATION OR ELIGIBLE DEVELOPMENT EXPENSES

FORM PIP-15

· Complete separate FORM PIP-15 for each well.

- Complete departure i e i i i i i e i ci e cae					
Part A—Identification				CONTROL NUMBER	PARTMENTAL USE ONLY
INIQUE VELL DENTIFIER	PERIOD TO WHICH THIS FORM FROM APPLIES	YY MM DD TO	YY MM DD	ENTITY FOR DEP	PARTMENTAL USE ONLY
Part B—Adjustments					
1) Earning Expenses and Acquired Expenses	ises				
	ning Expense plete (a) (b) and (c) below)	(Complete (c) below)	ense	☐ Penalty (Complete B(4) a:	Expense B(2) (a) or (b), or s applicable)
ŕ	dicated Test Well Expe	ense (Complete B(3) only)			
(a) — Delineation Well					
Does Earning Expense relate to a de	lineation well on Canad	da Lands? . i YES	( ) NO	YY MM D	DD .
If "YES", indicate the date of the Minis	terial approval				
(b) - Acquisition Expenditure Adjustmen					
If the applicant has incurred or agree expenditure, that amount may be de					nance
Total Eligible Earning Expe	enses (from line 17 of F	Part D(2) (a) of FOF	RM PIP-02) -	\$	01
Less — Acquisition Expen	diture				02
Tot	al Eligible Earning Ex	penses (Subject to	o adjustment)		03
(c) — Calculation of Adjustment Factor					
To calculate the "Adjustment Factor" ap	plicable to expenses u	se the following fo	rmula – (FXNW	/IP X (NWILA)	
For Earning Expense -				2	
F — For Earning Expense For Acquired Expense	in respect of delinear	non well on Canal	ua Lands — ·	10 1	
NWIP — Net Working Interest Pe		on FORM PIP-14			04
EP — Expense Percentage -					
MLB — Minimum Land Block (fr NWILA — Net Working Interest L					
Calculate "Adjustment Factor"					
F X_NW	IP	NWILA			
E	P	MLB			
	X		=		0.8
Enter quotient f	rom above er is less	Enter quotient from at or 1, whichever is le	oove ss	Enter Adjustment Factor or 1, whichever is less	
\$		\$	<del></del>	\$	
	09 X	=	habla Eurasia		10
Eligible Exp (from FORM PIP-0 or line 03 of t	penses Adjustme 2-line 17 or 18 (from lii his form)	nt Factor E	ligible Expenses ifter adjustment	(Transfer to on reve	rse)

Form prescribed pursuant to the Petroleum Incentives Program Regulations

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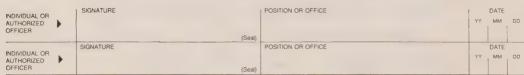


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	nse Adjustments respect of eligible expenses u		100		<del></del>
		under a penanty clai	156.		
Penalty Production	Canada Lands)				
	Panalty Parcent	age% — 1(	200/	6 <b>12</b>	
	renally rescent	400%	Enter Adjustmen	nt Factor	
	\$		or 1, whichever	s less	
	13 >	× %	=	•	14
	Eligible Penalty Expenses (from FORM PIP-02-line 19)	Adjustment Factor (from line 12)	Eligible Expenses after adjustment		
Penalty Net Workin	Interest Percentage in Pena	Ity Land Area (Car	nada Lands)		
Decello Medilico	Internal December 1: December 1:				
	g Interest Percentage in Penalt d by applicant(PNWIP)			% 15	
Penalty Expense P	ercentage (PEP)			% 16	
Penalty Land Area	PLA)		Secti		
			\$	\$	
	Fligible	e Penalty Eynense	e		1.0
	Eligible	e Penalty Expense	(from FORM PIP-02-line 1	9)	18
	Eligible	e Penalty Expense		9)	18
B (3) Syndicated T	Eligible		(from FORM PIP-02-line 1	9)	18
B (3) Syndicated T			(from FORM PIP-02-line 1	9)	
	est Well—Canada Lands		(from FORM PIP-02-line 1	9)	18
xpense Percentage			(from FORM PIP-02-line 1		18
xpense Percentage	est Well—Canada Lands		(from FORM PIP-02-line 1	%	
xpense Percentage	est Well—Canada Lands		(from FORM PIP-02-line 1	_ % _ \$	
xpense Percentage	est Well—Canada Lands		(from FORM PIP-02-line 1	_ % _ \$	
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xpense Percentage Vorking Interest in ac	EP)	Test Well Expense	(from FORM PIP-02-line 1	% % % \$	
xpense Percentage Vorking Interest in ac	EP) — — — — — — — — — — — — — — — — — — —	Test Well Expense	(from FORM PIP-02-line 1  \$ \$ (from line 20 of FORM PIP-1)  Enter Adjustment of 1 whichevit		
xpense Percentage Vorking Interest in ac	est Well—Canada Lands  (EP) — — — — — — — — — — — — — — — — — — —	Canada Lands % 1 200%	(from FORM PIP-02-line 1	% % % \$	
xpense Percentage Vorking Interest in ac	est Well—Canada Lands  EP)	Test Well Expense  Canada Lands  age% — 1 200%	(from FORM PIP-02-line 1		
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xpense Percentage Vorking Interest in ac	est Well—Canada Lands  EP)	Test Well Expense  Canada Lands  age% — 1 200%	(from FORM PIP-02-line 1	% % \$	
xpense Percentage Vorking Interest in ac	est Well—Canada Lands  EP)	Test Well Expense Canada Lands age % 1 200%  Adjustment Factor from lane 20)	(from FORM PIP-02-line 1  \$  Ifrom kine 20 of FORM PIP-1  Enter Adjustmen or 1 whichever  ### Table 1      Fligible Expenses after adjustmen		
xpense Percentage Vorking Interest in ac	est Well—Canada Lands—  EP) — — — — — — — — — — — — — — — — — — —	Test Well Expense  Canada Lands age%1	\$ S (from FORM PIP-02-line 1)  \$ Ifrom line 20 of FORM PIP-1    Finite Adjustment of 1 whichever of 1 whichever of 2 whichever of 3 which of 3	- % - % - % - % - % - % - % - % - % - %	

Energy, Mines and Resources Canada Petroleum Incentives	Énergie Mines et Ressources Canada Program	ELECTION IN RESPECT OF APP EXPENDITURE GRANTS UNDER P THE OIL AND GAS INCENTIVE RE	PART II OF			FO	ORM PIP
Part A - Identification		1978, OF THE PROVINCE OF SASK	,	L	PARTMENTAL	USE ONLY	
NAME OF APPLICANT	(Print)		ENTITY NUMBER	<b>&gt;</b>	1	1	1 1
ADDRESS	(Street and No.)	(City)	(Province)			Posta	al Code

- For use by an applicant who is or may be entitled to receive an expenditure grant (an "earned credit") under Part II of The
  Oil and Gas Incentive Regulations, 1978, of the Province of Saskatchewan (the "Saskatchewan Program") in respect of
  an eligible cost or expense.
- This election may only be made at the time of application for the first incentive to which the amount of an earned credit is relevant under subparagraph 12(1)(a)(ii) of the Regulations.
- Where this election is not made, earned credits will reduce eligible costs or expenses under subparagraph 12(1)(a)(ii) of the Regulations.
- Where this election is made, earned credits will not reduce eligible costs or expenses under subparagraph 12(1)(a)(ii) of the Regulations, However, in accordance with subsection 12(5) of the Regulations, amounts received under the Saskatchewan Program will reduce eligible costs or expenses under subparagraph 12(1)(a)(ii) of the Regulations. This may result in a requirement that Statement of Adjustment be filed and that all or part of an incentive received be re-imbursed. Further, it is a term and condition of any incentive made on the basis of this election that it shall be applicable and binding in respect of all subsequent applications for incentive.
- This election should be signed by the applicant or a person legally entitled to sign on his behalf. In the case of a corporation,
  - (a) where the directors of the corporation are legally entitled to administer the affairs of the corporation, a certified copy of their resolution authorizing the election to be made is to be attached.
  - (b) Where the directors of the corporation are not legally entitled to administer the affairs of the corporation, a certified copy of the authorization of the making of this election by the person or persons legally entitled to administer the affairs of the corporation is to be attached.

The undersigned hereby elects that amounts referred to in paragraph 12(5)(a), (b) or (c) of the Regulations shall not be taken into account for purposes of subparagraph 12(1)(a)(ii) of the Regulations, and that any grant received under the Saskatchewan Program after 1980 shall be taken into account, for purposes of subparagraph 12(1)(a)(ii) of the Regulations, in accordance with paragraphs 12(5) (d) and (e) of the Regulations.



Form prescribed pursuant to the Petroleum Incentives Program Regulations

TB-REG B-5062-1

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Formule conforme au Réglement sur le programme d'encouragement du secteur petrolier

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Canadä

		Atte	station ————	
J'atteste par la présente	ou et	qu'autant que je sache, les ren ci-jointes sont vrais, exacts et d	ésigné dans la présente demande fûment autorisé du demandeur seignements fournis dans la prés complets et que la présente dem ogramme d'encouragement du se	sente formule et déclarations ande est conforme à toutes les
Nom (e	n lettres m	noulées)	Titre	e (du signataire)
	Signature	e	Téléphone	Date
		—À L'USAGE DU MII	NISTÉRE SEULEMENT- \$	\$
Ajouter: Rectification de Déduire: Paiement en tro		entions précédentes – – – – - mpris l'intérêt) des subventions	précédentes – – – Montant à verser ou à rembou	urser

#### CALCUL DE LA SUBVENTION D'EXPLORATION

FORMULE PESP-01(1)

Donner un résumé des frais admissibles inscrits' sur les FORMULES PESP-02, PESP-03 ou PESP-05. Calculer le montant payable à titre de «participation de la Couronne» en multipliant le sous-total des frais admissibles par le taux de subvention approprié. Calculer le montant de la subvention, autre qu'une subvention à titre de participation de la Couronne, payable pour chaque puits ou unité, en multipliant les frais admissibles rectifiés par le taux de subvention approprié. Au besoin, joindre des FORMULES PESP-01(1) supplémentaires.

N° DE CONTRÔLE

A LUSAGE DU MINISTERE SEULEMENT

N° DE A LUSAGE DU MINISTERE SEULEMENT

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	SUBV	ENTION À TITRE DE	NNF	<u> </u>			1		AUTRE SI						1	-
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Total de la subvention à l de la participation de la couronne — Terres du C		\$ (Reporter a la ligne 12 au verso)	0	4									(Reporter au	a la ligne versol	13	

## CALCUL DE LA SUBVENTION D'EXPLORATION

FORMULE PESP-01(1)

	S PESP-01(1) supplémentaires.									C	DE ONTRÔLE	•			
les terres du Canada	INDIQUER LA PÉRIODE VISÉE PAR LA DEMANDE	DU	AA	ММ	IJ	AU	AA	MM	l m	Nº L'I	DE NTITÉ	GE DU	AINISTÉRE ! !	SEULEMEN	1 1
IDENTIFICATEUR DU PUITS OU NOM DE L'UNITÉ CI. FORMULE PESP-02, PESP-0 ou PESP-05 pertinente)	APPROBATION PRÉALABLE FRAIS ADMISSIB OU DÉCISION (Cf. PESP-02, sign ANTICIPÉE (Cf. PESP-03, lign échéant) S (Cf. PESP-05, lign vu 16)	n 11	(0	Of PES	P-02, I P-03, I P-15, I	ligne 1 ligne 1 ligne 2	5)		TAU) SUBVE (CI G anne)	NTIO	N 3	MOI	NTANT	PAYABLE	
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## CALCUL DE LA SUBVENTION D'AMÉNAGEMENT FORMULE PESP 01(2) Donner un résumé des frais admissibles inscrits sur les FORMULES PESP-02, PESP-03 ou PESP-05 et calculer le montant payable pour chaque puits ou unité, en multipliant les frais admissibles rectifiés par le taux de subvention N° DE CONTRÔLE approprié Au besoin, joindre des FORMULES PESP-01 (2) supplémentaires. INDIQUER LA PÉRIODE VISÉE AA A - Terres du Canada N° DE L'ENTITE DU AU PAR LA DEMANDE • IDENTIFICATEUR APPROBATION FRAIS. ADMISSIBLES FRAIS ADMISSIBLES RECTIFIÉS APPROBATION FRAIS, ADMISSIBLES PRÉALABLE OU DÉCISION ANTICIPEE (Gocher le cas (Cl PESP-03. ligne 11) échéant) § DU PUITS OU NOM DE L'UNITE TAUX DE SUBVENTION (Cf PESP-02, ligne 15) (Cf PESP-03, ligne 11) (Cf PESP-15, ligne 24) (Cf PESP-05, ligne 17) MONTANT PAYABLE (C1 FORMULE PESP-02, PESP-03 ou PESP-05 pertinente) % = % = % = % = % =

#### CALCUL DE LA SUBVENTION D'AMÉNAGEMENT

FORMULE PESP-01(2)

Donner un résumé des frais admissibles inscrits sur les FORMULES PESP-02, PESP-03 ou PESP-05 et calculer le montant payable pour chaque puits ou unité, en multipliant les frais admissibles rectifiés par le taux de subvention N° DE CONTRÔLE approprié Au besoin, joindre les FORMULES PESP-01 (2) supplémentaires B - Terres autres que INDIQUER LA PERIODE VISEE N° DE L'ENTITE DL. AU Þ des terres du Canada PAR LA DEMANDE APPROBATION FRAIS ADMISSIBLES
PREALABLE
OU DECISION (CI PESP-02.
ANTICIPEE (Igne 11 ou 15)
(Cocher (LPSP-03. Igne 02 ou 16)
échéant) IDENTIFICATEUR FRAIS ADMISSIBLES DU PUITS OU NOM DE L'UNITÉ TAUX DE SUBVENTION (Cf PESP-02, ligne 15) (Cf PESP-03 ligne 11) (Cf PESP-15, ligne 24) (Cf PESP-05, ligne 17) MONTANT PAYABLE (CI FORMULE PESP-02 ou PESP-03 ou PESP-05 pertinente) (Guide annexe 3) % = % = % = % = % = % = % = % = % = % = % = % = % = % = Total des 0.5 Sous-total 06 frais admissibles Ajouter: frais généraux internes × \_\_\_\_\_ % = Total de la subvention au titre des terres autres que des terres du Canada 08 0 9 (Montant de la ligne 04 au recto) 10 Total de la subvention d'aménagement (Total des lignes 08 et 09) > \_\_\_ (Reporter a la ligne 04 de la FORMULE PESP 01)

02

03

## CALCUL DE LA SUBVENTION AU TITRE DU COÛT D'UN BIEN

\_% =

\$

(Reporter à la ligne 05 de la FORMULE PESP-01)

Sous-total

Total de la subvention au titre du coût d'un bien

FORMULE PESP-01(3) Donner un résumé des coûts admissibles des biens inscrits sur les FORMULES PESP-06 et calculer le montant payable pour chaque projet, en multipliant les coûts admissibles rectifés par le taux de subvention approprié. Au besoin, joindre des FORMULES PESP-01 (3) supplémentaires. N° DE CONTRÔLE INDIQUER LA PÉRIODE VISÉE N° DE L'ENTITÉ DU PAR LA DEMANDE N° D'AUTORISATION ASSIGNÉ PAR LE MINISTÈRE TOTAL DES COÛTS ADMISSIBLES DES BIENS TOTAL DES COUTS ADMISSIBLES RECTIFIÉS TAUX DE SUBVENTION MONTANT PAYABLE (Cf FORMULE PESP-06 pertinente) (Cf FORMULE PESP-06, ligne 08 ou 09) (Cf. FORMULE PESP-06, ligne 17) (Guide, annexe 3) \$ % = % = % = % = % = % = % = % = % = % = \_% = \_% =

Total des coûts

admissibles des biens

Énergie Mines et Energy, Mines and Ressources Canada Resources Canada 1+

### FRAIS D'EXPLORATION OU D'AMÉNAGEMENT ADMISSIBLES

FORMULE PESP 02

r rogramme d'encoc	urageri	ient du secteur petr	Olici									
<ul> <li>Remplir une FORMU</li> <li>Ne pas inclure les fra FORMULES PESP-I</li> </ul>	ais ge	enéraux internes				s. Les frais g	éné	raux internes doiv	ent être	e inscr	its aux	
<ul> <li>S'il s'agit d'un puits Aucune approbation</li> </ul>	d'exp	loration en com							ALUS	SAGE DU	MINISTERE SE	ULEMENT
Partie A-1—Identific									N° DE	LE		
TYPE DE EXPLORATION DE PUITS AMÉNAGEMENT	DEBL	JT DU AA M	1 C	ENTI ATEU J PUI	R				A L'US N° DE L'ENTITÉ	- N	MINISTÈRE SE	ULEMENT
PÉRIODE VISÉE PAR LES FRAIS	DU	AA MM JJ	U AA MM	J	EMPLA MENT DU PUI	TE	RRES	S DU CANADA S AUTRES QUE DES TER NADA	RES	INTER ACTIF DEMA		%
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			ISÉE PAR L'IN				1	PPORTENT LES FRAIS				
TYPE DE FO	TAMRC	ION		Nº (	DE PERMIS C	U DE CONCESSION	-	LOCALISATION DE LA	A SUPER	FICIE	SUPI	RFICIE
				ļ			1					HECTARES
DATE DE LIBÉRATION DE LA PLATE-FORME DE FORAC	GE	▶ AA	MM JJ	COI	OT TOTAL F	PRĖVU DU PUITS		•	\$			
METRES FORES AU COURS	Р	ROFONDEUR ATTEINTE	A LA FIN	PRO	FONDEUR PI	RÉVUE	NO	M DE L'EXPLOITANT	-			
DE CA PENIODE		E EN PENIODE	MÉTRES	<u></u>		MÉTRES						
INDIQUER L'ÉTAT DU	DNNÉ	□ PARĖ	COM			TRAVAU		AUTRE (Préciser)				
PUITS  Nota Lorsque	le puils a	èlé abandonné et qu'un p	ouits de remplace	ment a	été foré, ren	plir la partie A-2 Auti	emen	I. passer à la partie B				
Dantin A.O. Duito do		nlanamant										
Partie A-2—Puits de		IJ I										
D'ABANDON		PROFONDEUR AU MOMENT D L'ABANDON	)E	<b>•</b>		MÉTRES		TIF DE BANDON	'Au besoin.	joindre de	es pages supple	mentaires)
DÉBUT DU FORAGE DU PUITS DE REMPLACEMENT	MM .	DISTANCE ENT LE PUITS ABAN ET LE NOUVEA	NDONNĖ	•		MÉTRES		NTIFICATEUR PUITS				
Partie B—Ventilation	n des	frais admiss	ibles (Re	lam	ir dans t	tous les cas	5)					
Ne comprer	nd pa	s les frais génér naire détaillé de	raux d'expl	ora	ion et d	aménageme	nt a					
Frais liés à	l'intér	êt actif à gagne	er ou à un	inté	rêt acqu	is						
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Frais frappé	és d'u	ine pénalité										
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Nota Dans les trais mentionné	és cı-haı	ut avez-vous inclus de:	s frais de trans	action	s entre	Gilli SSIDIES	(101	iai des lighes 05 e	(10)	à	(Sills agit de fra une subvention rticipation de la	a litre de
personnes liées? 100 les détails sur une page				en fo	ournir					reporte	er a la FORMUL Autrement re à la ligne 13 au	E PESP-01(1) porter

Formule conforme au Réglement sur le programme d'encouragement du secteur petrolier



C T -RÈGL B-5062-1

art	tie C—Frais non assujettis à une rectification
(1)	Remplir cette partie dans le cas d'une demande d'exemption de rectification présentée en vertu de la disposition sur le contenu canadien.  (Cocher la case appropriée)
	Exemption en vertu de la disposition générale sur le contenu canadien (Remplir et joindre FORMULE PESP-13 et inscrire le montant à la ligne 12 ci-dessous)
	Exemption en vertu de la disposition sur le contenu canadien pour la durée d'un accord (Cf. les questions ci-après)
	Le demandeur a-t-il déjà demandé une exemption de rectification en vertu de la disposition sur le contenu canadien pour la durée d'un accord?
	Dans l'affirmative, les frais exposés dans cette demande se rapportent-ils à cet accord?
	Dans l'affirmative, préciser la période visée par la FORMULE PESP-13 La
	Frais admissibles engagés en vertu \$ de la disposition sur le contenu canadien12
(2)	Remplir cette partie dans le cas d'une demande d'exemption de rectification en raison d'un accord écrit passé au plus tard le 28 octobre 1980.
ONC	CUSION AA MM JJ PERIODE DU AA MM JJ AU AA
ATE	L'AFFIRMATIVE,  DES  AA MM JJ RÉSUMER LES MODIFICATIONS (Au besoin, joindre des renseignements supplémentaires).  DES  FIGATIONS
lota:	Total des frais non assujettis à une rectification (Total des lignes 12 et(ou) 14)  Si le demandeur n'a pas de «Frais assujettis à une rectification» ci-dessous, reporter le montant de la ligne 15 à la FORMULE PESP-01(1) ou PESP-01(2). Autrement reporter ce montant à la ligne 23 de la FORMULE PESP-15.
	tie D—Frais assujettis à une rectification
(1)	Remplir cette partie, si nécessaire; sinon, passer à la partie D(2).
	Pourcentage des frais d'équipement (Sauf lorsqu'il y a des intérêts à gagner dans des terres autres que des terres du Canada) — — — — — — — — — — — — — — — — — — —
	Pourcentage de l'intérêt actif net le plus bas (Remplir et joindre une FORMULE PESP-14(2)) %
Vot	a: Si le pourcentage des frais d'équipement ou des frais postérieurs à l'équipement excède le pourcentage de l'intérêt actif net le plus bas, les frais admissibles relatifs à ce puits doivent être rajustés à zéro.
	Total des frais assujettis à une rectification (ligne 13 moins ligne 15)
(2)	) Décomposer les «frais assujettis à une rectification» (ligne 16) d'après les catégories appropriées ci-dessous.  Frais assujettis à
(a)	) Frais liés à l'intérêt actif à gagner (Remplir et joindre la FORMULE PESP-14(1) et
	la partie B(1)(a), (b) et (c) de la FORMULE PESP-15)
	la partie B(1)(c) de la FORMULE PESP-15) ————————————————————————————————————
	la partie B(2)(a) ou (b) ou la partie B(4) de la FORMULE PESP-15)
(d)	Puits d'exploration en commun (Remplir et joindre la partie B(3) de la FORMULE PESP-15)
	(reporter a taligne 19 de la r'UnMULE rESP-15)
	Total (Doit correspondre au montant de la ligne 16)

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Programme d'encouragement du secteur pétrolier

## FRAIS D'EXPLORATION OU D'AMÉNAGEMENT ADMISSIBLES (FORMULE ABRÉGÉE)

FORMULE PESP-03

Remplir une FORMULE PESP-03 pour chaque puits.

doivent être inscrits aux				frais du pet (2).	Junta. LC	s irais ge	AIGI 8	IUX II	nem (	-5		A L USAG	SE DU MI	NISTERE	SEULEM	ENT
S'il s'agit d'un puits d'ex	ploration e	n commu	n, il fai	ut avoir u	ine appre	obation (	écrite	e du	Minis	stre.	N DE CONTR	RÓLE D				
Aucune approbation n'e	est requise	pour une	subve	ntion à tit	re de pai	ticipatio	n de	la Co	ouron	ne.		À L USAG	E DU MI	MISTÉRE	SEULEM	ENT
Partie A—Identification	1										Nº DE	TE P				
DENTIFICATEUR DU PUITS		PÉ	RIODE VI R LES FF	SÉE	<b>)</b> c	U AA	MM	JJ	AU	AA	ММ	1	ACTIF DEMAI	DU		00
Si l'intérêt actif se rapporte	à des frais	liés à l'ir	térêt a	ctif à gad	ner et a	ue le pui	ts se	e trou	ive d	ans le	s ter	res di	u Car	nada	est-c	e que
'approbation de l'accord a													personal	Oui		Non
DE EXPLORATION	_ AMÉNA	GEMENT	CEMEN DU PUI	4T ▶   ∷	TERRES DI		DES	TERRE	S DU (	CANADA	. 1	DEBUT FORAC DU PUI	3E	•	AA I	MM JJ
	SUPERFIC	E VISÉE PA	AR L'INT	ÉRÊT ACT	IF NET À L	AQUELLE	SER	APPO	RTEN	IT LES	FRAIS	5				
TYPE DE F	ORMATION			N° DE PER	MIS OU DE CO	NCESSION		LO	CALISA1	TION DE	.A SUPE	RFICIE			SUPER	FICIE
							}									HECTARES
DATE DE LIBÉRATION DE LA PLATE-FORME DE FORAGE	>	AA MN	l JJ	COÚT TO	TAL PRĖVU	DU PUITS					•	\$				TEG TANES
METRES FORES AU COURS DE LA PERIODE	PROFON A LA FIN	DEUR ATTEIN DE LA PÉRIOD	TE DE METRES	PROFONDEL	JR PRÉVUE	METRES	NOM	DELE	XPLOIT	ANT						
NDIQUER L'ÉTAT ABANDONI	NÉ 🏻 PARI			OMPLÉTÉ	DLE	TRAVAU EN COU				UTRES Précise						
Frais liés à l'intérê	t actif à ga	gner ou à		érêt acqu Total des frais dmissibles	Pourc	entage des demandeu				(	engagi par le					
			\$						S							
-Frais impondérables	de forage -				×		%	===								
-Frais d'abandon	_															
-Frais impondérables d	de complét				×		%	=								
-Autres (Préciser)		ion – – –			× .			=	_							
		ion – – –					%						_04S			
					× .		% % %	=								0
Frais frappés d'un	ne pénalité				× .		% % %	=								0
Frais frappés d'un		Total			× .		% % %	=								0
	de forage -	Total			× ×		% % % T	= = otal					04 S _ • _			0
—Frais impondérables ( —Frais d'abandon — — —Frais impondérables (	de forage -	Total			× ×		% % % T	= = otal					04 S - 04 S			0
—Frais impondérables « —Frais d'abandon — —	de forage -	Total			×		% % % T	otal					06 - 07			0
—Frais impondérables ( —Frais d'abandon — — —Frais impondérables (	de forage -	Total			×		% % % % % T	e otal					06 07 08 09 \$			0

Formule conforme au Réglement sur le programme d'encouragement du secteur petrolier

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Énergie, Mines et Energy, Mines and Ressources Canada Resources Canada

Programme d'encouragement du secteur pétrolier

## CALCUL DE LA SUBVENTION D'EXPLORATION RELATIVE AUX PROGRAMMES GÉOPHYSIQUES, GÉOLOGIQUES ET (OU) GÉOCHIMIQUES

FORMULE PESP-04

accessoire:							4		_										
	_												A I'U MÉRO CONTR	SAGE D	MINIS	TÈRE	SEULE	MENT	
		PERIODE PAR LES I	VISÉE FRAIS		DU	AA		!	AU		IM 11	DE	MÉRO L'ENTIT		•	1	1	1	
artie A - Pro	ogramme mi	s en o	euvre pa	ar le de	mande	eur (	OU pa	r un e	entr	epre	neur à	l'in	tentic	n du	den	nan	deu	ır	
rogramme 1	MISE EN OEUVRE PAR	•	□ LE 0	EMANDEU	JR.	[	UNEN	ITREPR	ENEU	R (si le d précis	er codesso	est mer	abre d'un g	roupe					
	TYPE DE PROGRAMME	•	GÉO	PHYSIQUE	E	[	☐ GÉOL	OGIQUI	E		□G	ÉOCH	IMIQUE			L 1		EAU EMENT PRÉTA	
	N° D'AUTORISATIO	N Þ									N	IOTA.	Lorsqu'il d'autoris d'avance	ation, jo	indre u	in rap	port		
	DÉBUT DU PROGRAMME	<b>&gt;</b>	MM		ROIT VISÈ LE PROGR		1E	Þ		TERRES			ROVINO						
	Cueillette de Traitement Interprétat Autre (pré	t des do ion ciser)	onnées e	t étude:	s en labo	orato	oire		me					02 03 04 05					
	°Si la demandaur	ast mamh	se d'un arou	ne donner	Part to									entage					06
2	*Si le demandeur	est memb			le nom des	s autre	es participa	ants qui	partag	gent les	frais, et in	est mei	le pourc		% %			_	06
Programme 2	MISE EN OEUVRE PAR	est memb	D LEC	DEMANDEL	le nom des	s autre	UN EN	ants qui	partag	gent les	frais, et in	est mer	le pource				NOLIV		06
Programme 2	MISE EN	est memb	D LEC	DEMANDEL	le nom des	s autre	es participa	ants qui	partag	gent les	frais, et in	est mer	le pourc			Ш ;			T,
Programme 2	MISE EN OEUVRE PAR TYPE DE	<b>+</b>	GÉC NOMBRE D	DEMANDEL	le nom des	s autre	UN EN	ants qui	partag	gent les	lemandeur	est mer ous)*	le pource	groupe.	Journal indre u	uméro	TRAIT	EAU EMEN	T,
Programme 2	MISE EN OEUVRE PAR TYPE DE PROGRAMME	<b>)</b>	GÉC NOMBRE D	DEMANDEL DPHYSIQUIE KM	le nom des	s autre	UN EN	ants qui	partag	gent les	frais, et in	est merous)*	le pource	n'y a ai ation, joiment d	Journal indre u	uméro	TRAIT	EAU EMEN	T,
Programme 2	MISE EN OEUVRE PAR TYPE DE PROGRAMME N° D'AUTORISATIO	ogramm des doit des doition — ociser)	GÉC NOMBRE D Nombre admis	DEMANDEL DPHYSIQUI E KM  END PAR SSIBIES  travaux et étude:	JR E  DROIT VISÉ I LE PROGR  S ur le to	RAMM	UN EN  GÉOL  AE  in  oire  du pro	NTREPROGIQU	partag BENEU	TERRES	Idenandeur Gerardesse N N A OU	est mei est me	le pource hibre d'un ; ilMIQUE Lorsqu'il d'autors RROVINC E (DU) .	n'y a ai ation, jc ment d	Journal indre u	uméro	TRAIT	EAU EMEN	T,
Programme 2	MISE EN OCUVRE PAR TYPE DE PROGRAMME N° D'AUTORISATIO DÉBUT DU PROGRAMME Frais du pro Cueillette Traitemen Interprétal	ogramm des doit des doits de doits	DEC DEC NOMBRE D	DEMANDEL DPHYSIQUIE EMM PAR SSIBLES travaux et étude:	JR E  BROIT VISÉ BLE PROGR S en labo  dmissib  Part to	RAMM	UN EN GÉOL  GÉOL  GÉOL  du pro  des fr	NTREPROGIQU	partag	PR (si le précis	rais, et in	est meious)*  EEOCH IOTA:	le pource	n'y a air air air air air air air air air a	Journal indre u	uméro	TRAIT	EAU EMEN	TITION

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## Partie B-Rapports achetés par le demandeur

• Cette partie vise les rapports achetés aussi bien pour les terres du Canada que pour les terres autres que des terres du Canada.

Acquisition 1	TYPE DE PROGRAMME	•		GÉOPHYSIQUE	( ) GÉOLOGIQUE		, : GÉOCHIMIQ	UE	
	N° D'AUTORISATION DU VENDEUR		▶ NON	RBRE DE KM		DÉBUT DU P	PROGRAMME R	AA A	N M J J
	ENDROIT VISÉ PAR LE PROGRAMME	•		TERRES OU DU CANADA	. PROVINCE				
	AVIS DU PREMIER A (Demandé seulement	CHETEU pour les	R ADMI acquisi	ISSIBLE CI-ANNEXÉ (FORMULE PESP-12) hons sur des terres autres que des terres du C	anada)		Avis ecrit déja au Ministre (te Canada seuler	fourni rres du nent)	
	Frais admissible		rix d'	achat payé par le demandeu	\$ 		13		
Acquisition 2	TYPE DE PROGRAMME	•		GÉOPHYSIQUE  MBRE DE KM	[] GÉOLOGIQUE		, Č GÉOCHIMIQ	UE	
	N° D'AUTORISATION DU VENDEUR		•			DÉBUT DU F	PROGRAMME R	AA B	MM JJ
	ENDROIT VISÉ PAR LE PROGRAMME	•		TERRES DU CANADA OU	PROVINCE DE (DU)				
	AVIS DU PREMIER A (Demandé seulemen	ACHETEL t pour les	R ADM acquisi	ISSIBLE CI-ANNEXÉ (FORMULE PESP-12) itions sur des terres autres que des terres du C	Canada)		Avis écrit déal au Ministre (te Canada seule	fourni irres du ment)	
	Frais admissible		rix d'	achat payé par le demandeu	s		14		
Acquisition 3	TYPE DE PROGRAMME	•	1	GÉOPHYSIQUE	☐ GÉOLOGIQUE		☐ GÉOCHIMIC	WE	
	N° D'AUTORISATION DU VENDEUR		•			DÉBUT DU F	PROGRAMME IR	AA	MM J.
	ENDROIT VISÉ PAR LE PROGRAMME	•		TERRES DU CANADA OU	DE (DU)				
	AVIS DU PREMIER A (Demandé seulemen	ACHETEI	JR ADM s acquis	IISSIBLE CI-ANNEXÉ (FORMULE PESP-12) utions sur des terres autres que des terres du C	Canada)		Aves écrit dép au Ministre (te Canada seule	i fourni erres du ment)	
	Frais admissible		'rix d'	'achat payé par le demandeu	\$ 		15		
Terres du Car					s		16		
				s admissibles — — — — — orogrammes et acquisitions)  Taux applicable (Annexe 5	3 du Guide) > Total de la		% s		1
Terres autres	que des terres d	u Car	ada		5				
				is admissibles			18		
	(101	as de lo	us ies j	Taux applicable (Annexe	3 du Guide) > Total de la		_ % S		1
					Total de la subvention (Yotal des lignes 17 et		(Reporter FORM	à la ligne 0 ULE PESF	)2 de la

Ressources Canada F	nergy, Mines and Resources Canada gement du secteur pétroli	er			MISSIBLE		ON		FORMULE PESF
			N° DE	1	A L USA	GE DU MIN	ISTÈRE SE NUMER		
Partie A—Identificatio	n		L'ENTITÉ			1	CONTR		
NOM DE L'UNITÉ DATE DE AA	MM JJ TOATE A LACILIE	FILETE NOM A		DE L'UNITÉ		. 1	TERRES A	UTRES QUE D	
CONCLUSION DE L'ACCORD D'UNION	DE L'UNITÉ A E PROUVE OU E	ETÉ AP-		PERIODE PE LAQUELLE L SONT ENGA	ES FRAIS	DU	AA M	M JJ AL	J AA MM J
DESCRIPTION DE LA SUPERFICIE				TYI	PE DE ITS		XPLORA AMENAGE		
Partie B—Exemption d	e rectification								
(1) Remplir cette pa plus tard le 28	artie dans le cas d'ur octobre 1980. Rem	ne demande d'e plir également l	exemption de a partie C ci-	rectifica dessous.	tion en ra	ison d'u	un acco	rd écrit co	onclu au
PÉRIODE COUVERTE PAR L'ACCORD DU D'UNION	MM JJ AU AA	MM JJ CET AC ÉTÉ MC LE 28 C	CORD A-T-IL DDIFIÉ APRÉS OCT 1980	<b>▶</b> C	OUI C	NON D	ANS L'AF	FIRMATIVE	AA MM J
RÉSUMER LA NATURE DE CES MO	DIFICATIONS (Au besoin, join	ndre des renseigneme	ents supplémentaire	es)					
(2) Le demandeur e Dans l'affirmative	est-il exempté de la re e, remplir la partie C.				00 000\$?	, 🗆 (	Oui	□ Non	
(3) Le demandeur e Dans l'affirmativ	est-il exempté de la re e, remplir la partie C								Dui 🗌 No
Partie C—Frais engag	és dans l'unité pa	r le demande	ur						
Le demandeur a-t-il présentées? [ O dans les unités à l'éq Par	ui Non S gard desquelles aucu t du total des frais en	ii non, ne pas pr un intérêt actif n	résenter de d l'est détenu. nité par le den	emande o	concernal		épense	s engagée	
	rotard	55 11415 44111155	10103 00 0011	iandeai	(repo	rter ce mon		_	
Partie D—Participation Remplir seulement s	du demandeur d			cation.	ia iomac	.,	1,00(2)		
1	2	3	4		5				6
N° DE LA PARCELLE	INTÉRÊT ACTIF DU DEMANDEUR DANS LA PARCELLE	FACTEUR DE REPARTITION PARCELLAIRE RELATIF À LA PRODUCTION	FACTEUR DE REPARTITION PARCELLAIRE RE AUX FRAIS	.5	PARTICIPATION DEMANDEU FRAIS ENG DANS LA PAR	R ALIY		PARTICIPATION AUX FRAIS	DU DEMANDEUR S ENGAGÉS \$
						Tota			
Si le facteur de répartition demandeur a engagés da Si le pourcentage d'intérê	ns la parcelle doivent	t être réduits à z	éro.					s admissit	oles que le
Partie F.—Calcul du facto Déterminer un facteur de re			et pour chaque	e intérêt r	et ou brut	imputé	sur l'ini	érêt actif d	lu demandeur
N° de la parcelle									
	NOM DU DÉTENTEUR			TYPE DINTERÉT IRUT NET scrire inscrire 3	INTÉRÉT (Voir nota 1 au verso)	(Voir au v	nota 2 rerso)	P.P. (Voir nota 3 au verso)	FACTEUR DE RÉDUCTION DE L'INTÉRÊT
					×	×	÷	:	
					×	X	÷		=
			Tot		x cteurs d	× e réduc	tion de	e l'intérêt	08
Déterminer le pourcentag d'intérêt actif net	e • 100%	FACTEUR DE	% = -	FACTEUR DE	<del>-</del> % >	<	TÉRÉT ACTIF	- % =	09 INTERET ACTIF
	Formule conform	RÉDUCTION ne au Règlement sur le					NOTH.		C.TRÉGL B-506
Canadä									so available in Engl

#### Partie E-Calcul du facteur de réduction de l'intérêt\_

Déterminer un facteur de réduction à l'égard de chaque parcelle et pour chaque intérêt net ou brut imputé sur l'intérêt actif du demandeur

N° de la parcelle						_		_				-
NOM DU DÉTENTEUR		D'INTÉR BRUT M Inscire Int	ĒΤ		INTERET (Voir nota 1)		P I (Voir nota 2)		P P (Voir nota 3)		FACTEUR DE RÉDUCTION DE L'INTÉRÉT	
				×		×		÷		=		
				×		×		÷		=		
				×		×		÷		=		
		Total	des	s fa	acteurs	de	réduction	n c	de l'intérê	t		10
Déterminer le pourcentage   100% = FACTEUR DE REDUCTION	% =	FACT RECTIF	EUR C	DE ON	- % ×	<	INTERET ACTIF	_	% =	INT		11
N° de la parcelle				_		_		_		_		_
NOM DU DÉTENTEUR		D'INTÉF BRUT IN Inscrire In:	ÊΤ		INTERÉT (Voir nota 1)		P   (Voir nota 2)		P P (Voir nota 3)		FACTEUR DE REDUCTION DE LINTERET	
				×		×		_		=		
		+ +		×		X		-		=		
				×		×		_		=		
		Tota	des	s fa	acteurs	de	réduction	n c	de l'intérê	t		. 2
Déterminer le pourcentage b 100%	% =	FACT RECTIF			_ % ×	<	INTERÉT ACTIF	_	% =	INT	ERÊT ACTIF	13
N° de la parcelle ▶				_				_				
NOM DU DÉTENTEUR		D'INTER	ĖΤ		INTERÉT (Voir nota 1)		P ( (Voir nota 2)		P P		FACTEUR DE REDUCTION DE L'INTERET	
				×		X		-		=	1	
				×		×		-		=		
				×		×		÷		=		
		Tota	des	s f	acteurs	de	réduction	n c	de l'intérê	t		14
Déterminer le pourcentage   100% FACTEUR DE FRODUCTION	% =	FACT	FURI	ne.	- % ×	<	INTERÉT		% =	16.7	ERET ACTIF	15 0

- Nota 1. Inscrire le pourcentage prédéterminé ou le plus élevé si l'intérêt est calculé comme tranche de pourcentage.
  - 2. P.I. Pourcentage de pétrole ou de gaz sur lequel l'intérêt net ou brut est imputé
  - 3. P.P. Pourcentage de pétrole ou de gaz à partir duquel l'intérêt net ou brut est payé.

### Partie F — Calcul des frais admissibles rectifiés.

Calculer les frais admissibles rectifiés pour chaque parcelle de la façon donnée ci-dessous. Les parcelles unitaires et les frais qui s'y rapportent doivent correspondre aux données de la partie D (recto).



Énergie, Mines et Ressources Canada Resources Canada Programme d'encouragement du secteur pétrolier
Remplir une FORMULE PESP-06 distincte pour chaque projet      Remplir une FORMULE PESP-06 distincte pour chaque projet  A LUSAGE DU MINISTÈRE SEULFMENT NUMERO DE CONTRÔLE NUMERO REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO DE CONTRÔLE REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO DE CONTRÔLE REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO DE CONTRÔLE REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO DE CONTRÔLE REMPLIA DE LUSAGE DU MINISTÈRE SEULFMENT NUMERO DE DE LUSAGE DU MINISTÈRE
N° D' AUTORISATION ASSIGNÉ PAR LE MINISTÈRE DE L'ENTITÉ DE L'ENTIT
PERIODE PENDANT LAQUELLE LES FRAIS DU AA MM JJ
LIEU DU PROJET
Partie A-Ventilation des coûts admissibles des biens (Doit être complétée dans tous les cas)
Postes (joindre un sommaire détaillé des coûts) \$
Prix d'achat du matériel — — — — — — — — — — — — — — — — — — —
Total des coûts admissibles des biens04
Partie B—Coûts non assujettis à une rectification
1) S'il s'agit d'une demande d'exemption de la rectification en vertu de la règle des 500 000\$, reporter le montant à la ligne 5 ci-dessous.
<ol> <li>Remplir cette partie et la FORMULE PESP-13 (Coûts des biens) pour demander une exemption de rectification en vertu de la disposition sur le contenu canadien. (Cocher la case appropriée)</li> </ol>
□ Disposition générale sur le contenu canadien pour la durée d'un accord (Cf. les questions ci-après)
Le demandeur a-t-il déjà demandé une exemption de rectification en vertu de la disposition sur le contenu canadien pour la durée d'un accord?  Oui Non. Dans l'affirmative, les frais exposés dans cette demande font-ils partie de cet accord?  Dans l'affirmative, précisez la période visée par la  Oui Non. FORMULE PESP-13:
Dans la négative, remplir toutes les parties de la FORMULE PESP-13—Coûts des biens.
3) Remplir cette partie dans le cas d'une demande d'exemption de rectification en raison d'un accord écrit passé au plus tard le 28 octobre 1980.
PÉRIODE COUVERTE DU AA MM JJ AU AA MM JJ CET ACCORD A-T-IL ÉTÉ MODIFIÉ APRÈS LE DOUI NON MODIFICATION AA MM JJ CET ACCORD A-T-IL ÉTÉ MODIFIÉ APRÈS LE 28 OCT 1980
(Au besoin joindre des renseignements supplementaires)
Donner ci-après la liste des coûts admissibles des biens non assujettis à une rectification.
a) Coûts admissibles des biens engagés en vertu de la règle des 500 000\$.      b) Coûts admissibles des biens engagés en vertu de la disposition
sur le contenu canadien – – – – – – – – – – – – – – – – 06  c) Coûts admissibles des biens engagés en vertu d'un accord écrit
passé au plus tard le 28 octobre 1980 07
Total des coûts admissibles des biens non assujettis à une rectification  NOTA: Si le demandeur a des coûts admissibles des biens assujettis à une rectification (ligne 09), reporter le montant (ligne 08) à la ligne 16 au verso.
Coûts admissibles des biens assujettis à une rectification (Différence des lignes 04 et 08)  (Reporter à la ligne 14 du verso)

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Formule conforme au Règlement sur le programme d'encouragement du secteur petrolier

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Partie C—Rectification		
Coûts engagés par le demandeur (PC) — — — — — — — — — — — — — — — — — — —	%	10 11 12
Calculer les «Coûts rectifiés des biens» en utilisant la formule suivante:		
S PI = S  Coúts des biens assujettis PC Coúts admissibles des	_ 1	15
a une rectification (ligne 09 au recto)  biens après rectification		
*PI - est égal au moindre du PIAN ou du PIE (utiliser le PIAN le plus faible de la FORMULE PESP-14(1))		
Total des coûts admissibles des biens non assujettis à une rectification (ligne 08 au recto)	_ 6	16
Total des coûts admissibles des biens après rectification (Total des lignes 15 et 16)  (Repoirer als FORMULE PESP-01 (3))	_ 6	17

Énergie, Mines et Energy, Mines and Ressources Canada Resources Canada FORMULE PESP-07 FRAIS ADMISSIBLES AU TITRE D'UNE CONTRIBUTION AUX FRAIS DE FORAGE Programme d'encouragement du secteur pétrolier Remplir une FORMULE PESP-07 distincte pour chaque puits. À L'USAGE DU MINISTÈRE SEULEMENT N° DE CONTRÔLE Partie A-Identification. NOM DE LA PERSONNE BÉNÉFICIANT DE LA CONTRIBUTION N° DE L'ENTITÉ ADRESSE (ville) (code postal) Þ D'AFFAIRES PÉRIODE VISÉE AA 84 84 IDENTIFICATEUR Þ DU ΑU PAR CETTE CONTRIBUTION DU PUITS INTÉRÊT ACTIF DE LA PERSONNE QUI BÉNÉFICIE MM 3.3 DATE DE LA COMPLÉTION DU FORAGE DATE DE LA CONCLUSION DE L'ACCORD % D'UNE CONTRIBUTION Partie B-Terres du Canada (Remplir s'il y a lieu). La personne bénéficiant de la contribution aux frais de forage est-elle sous contrôle canadien? - - - - -Dans l'affirmative, indiquer le taux de participation canadienne de la personne - - -Taux de participation canadienne du demandeur - - - - - - - -Si la personne bénéficiant de la contribution n'a pas un taux de participation canadienne dont la tranche est égale ou supérieure à celle du taux de participation canadienne du demandeur, la contribution aux frais de forage admissibles doit être rectifiée à zéro. Total de la contribution aux frais de forage admissibles 01 Taux de subvention (Guide, Annexe 3) X Subvention au titre d'une contribution aux frais de forage (Reporter à la ligne 03 de la FORMULE PESP-01) Partie C-Terres autres que des terres du Canada (Remplir s'il y a lieu). Le demandeur est-il un détenteur réel d'un intérêt actif dans une superficie contiguë à la superficie où un puits est foré par la personne bénéficiant d'une contribution? □ Oui □ Non Dans l'affirmative, donner le(s) numéro(s) de permis ou de concession de la (1) superficie où le puits est foré. - - -Nº de permis ou de concession (2) superficie(s) contiguë(s) à la superficie où le puits est foré. -Dans la négative, la contribution aux frais de forage doit être rectifiée à zéro. Total de la contribution aux frais de forage admissibles (Ne doit pas excéder la juste valeur marchande) Taux de subvention (Guide, Annexe 3) X Subvention au titre d'une contribution aux frais de forage (Reporter à la ligne 03 de la FORMULE PESP-01)

Formule conforme au Règlement sur le programme d'encouragement du secteur pétrolier

C.T.-RÈGL. B-5062-1

Énergie, Mines et Energy, Mines and Ressources Canada Resources Canada

DÉCLARATION DE CONCILIATION

FORMULE PESP-08

Programme d'encouragement du secteur pétrolier

Àremplir par une SOCIÉTÉ qui a engagé des frais d'exploration et (ou) d'aménagement admissibles, y compris des frais liés à l'achat d'actions de la société, et (ou) des coûts admissibles des biens.

Partie A-	-Ide	ntification						
NOM DU DEMANDEUR	•			N° DE L'ENTITÉ	•	-	}	
ADRESSE POSTALE	•	(n° et rue) (ville)		(province)			(code	oostal)
			CETTE DÉCLAR FINANCIER PRE	ATION VISE L'I	EXERC	ICE •	AA M	M JJ
Partie B-		nciliation des frais d'exploration admissibles (F.E.A.) les frais d'exploration au Canada (F.E.C.)						
compris	les t	ration admissibles (F.E.A.) engagés au cours de l'année financière, y rais liés à l'achat d'actions de la société engagés conformément au 36.1 (6)a)(v) de la Loi de l'impôt sur le revenu ————————————————————————————————————			\$			01
		ration au Canada (F.E.C.), tels que définis à l'alinéa 66.1(6)a) de la Loi r le revenu, supportés ou engagés au cours de l'année financière — — —		02	2			
	min- Loid sab sch	etants engagés relativement à une ressource brale, telle que définie au paragraphe 248(1) de la le l'impôt sur le revenu , autre qu'un gisement de as bitumineux, de sables pétrolifères ou de stes bitumineux dont il est question à l'alinéa c) t paragraphe						
	de l	stants décrits au sous-alinéa 66.1(6)a)(iv) a Loi de l'impôt sur le revenu, liés à une société04 ersonnes04						
		stants engagés dans la province Alberta						
		Total (lignes 03, 04 et 05)		06	3			
	Fr	als nets d'exploration au Canada (Différence des lignes 02 et 06)		)	_			07
		<b>Écart</b> (Différence d	les lignes 0	1 et 07)				08
Si le mor	ntan	de la ligne 01 est supérieur à celui de la ligne 07, expliquer pourquoi ci	-dessous.					
Partie C-		nciliation des frais d'aménagement admissibles (F.A.A.)						
liés à l'a	cha	agement admissibles (F.A.A.) engagés au cours de l'année financière, y d'actions de la société engagés conformément au sous-alinéa 66.2(: revenu ————————————————————————————————————			\$			09
, ,	_,					(Report	er à la ligne u verso)	
		Formule conforme au Règlement sur le programme d'encouragement du s	secteur pétrolier			С	TRÉGL.	B-5062-

Canada

				(Ligne 09 du recto)	10
		F.A.C.), tels que définis à l'alin engagés au cours de l'année f		11	
Moins:	minérale, telle que défi la Loi de l'impôt sur le i de sables bitumineux, schistes bitumineux de	ativement à une ressource nie au paragraphe 248(1) de revenu, autre qu'un gisement de sables pétrolifères ou de ont il est question à l'alinéa c)	\$	2	
-	relativement à une pro	uestion au sous-alinéa de l'impôt sur le revenu, priété où se trouvent des es		3	
-	Loi de l'impôt sur le rev	ous-alinéa 66.2(5)a)(iv) de la venu, liés à une société de	1	14	
et-					
	•	Total (lignes 12, 13, 14 et 15)		16	
	Frais nets d'aménage	ment au Canada (Différence o	les lignes 11 et 16)		17
			Écart (différence d	des lignes 10 et 17)	18
Coûts a	dmissibles des biens ei Coûts en capital, aux fir	ngagés au cours de l'année fina ns d'impôts, des biens admissib	ncière — — — — — — — — — — — — — — — — — — —	apital des biensel'année financière	19
(	(Autres que les montant	s engagés dans la province de	i Alberta)	Écart	21
Si le mo	ontant de la ligne 19 est	supérieur à celui de la ligne 20	, expliquer pourquoi		
		Att	estation		
J'atteste,	par la présente, ou et	☐ que je suis le particulier d ☐ que les reiss le signataire d que les renseignements ci-de exacts et complets et que la p conforme à toutes les dispos du secteur pétrolier et de so	ûment autorisé de la essus sont, pour auta présente déclaration itions de la Loi sur le	int que je sache, vrais, de conciliation est e programme d'encouragement	
	Nom (en lettres	moulées)		Titre (du signataire)	
	Signatur	<del>0</del>		Téléphone	Date

Programme d'encouragement du secteur pétrolier								ASITICA	GE DU A	AINUSTÈRE	SELII EM	ENT
artie A—Identification								NUMÉRO DE CONTRÔLE	<b>b</b>	mino (Eric	OL OLL MI	-14)
M DU DEMANDEUR 🕨								NUMÉRO DE L'ENTITÉ	•		-	1 1
RIODE VISÉE PAR LA RECTIFICATION	DU	AA	ММ	n	AA	ММ	, u	IDENTIFICATE				
RIODE PENDANT LAQUELLE LES COÛTS/FRAIS IT ÉTÉ ENGAGÉS ET À LAQUELLE	DU	AA	ММ	n ,	A.A	MM	_ n	VISÉ PAR LA				
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PE DE  RÉVISION DES FRAIS D'EXPLORATION OU  CTIFICATION  D'AMÉNAGEMENT ADMISSIBLES		ISION I						ISION DES FO				TION
RMULES IECTIFIER												
Vécrire la rectification qui s'impose et donner les dé najeures, présenter un exemplaire modifié des formule				révis	e des	subv	entio	ns. Lorsqu	'il s'a	git de i	révisio	ons
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Subvention révisée — — — — — — — — — — — — — — — — — — —	ursale d	«E», 9	99, 4	aver	aue, (	)ttawa	illez l	ario) K1S (	par	02 03 a poste	9	
Subvention révisée — — — — — — — — — — — — — — — — — — —	ursale d	«E», 9	99, 4	aver	aue, (	)ttawa	illez l	ario) K1S (	par	02 03 a poste	•	
Subvention révisée — — — — — — — — — — — — — — — — — — —	culier n	«E», 9	onné ont auto	e aver ci-dess orisé d	sus lu dei	Ottawa	illez le (Ont	ario) K1S (	par l	02 03 la poste		om-
Subvention révisée — — — — — — — — — — — — — — — — — — —	culier nataire d	nentic	onné ont auto	e aver	sus lu dei	ottawa mande	illez li (Ont	entionné ci	par   5B5.	o2 o3 da poste	s et c	
Subvention révisée — — — — — — — — — — — — — — — — — — —	culier nataire d	nentici iûmer	onné onné ot autorit autorit autorit relati	e aver	sus lu dei	Ottawa mande autar	(Ont	entionné ci e je sache, conforme	par l	la poste	s et c	osi-
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Subvention révisée — — — — — — — — — — — — — — — — — — —	culier nataire d	nentici iûmer	onné onné ot autorit autorit autorit relati	e aver	sus lu dei	Ottawa mande autar	(Ont	entionné ci e je sache, conforme pétrolier et	r par l 55B5. -dess vrais à tou	la poste	s et c	osi-

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C T -Règl B-5062-1

Énergie, Mines et Ressources Canada Resources Canada Programme d'encouragement du secteur pétrolier

### PRÉVISIONS DES FRAIS **ADMISSIBLES**

FORMULE PESP-10

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DRESSE liège socia agit d'une	société	s) •			(n° e	t rue)						(ville)			(6	orovino	ce)			$\uparrow$	(code	postal)
TATUT L			SOCIÉTÉ		FIDU	CIE	_ s	OCIÉT	É DE P	ERSON	INES		PARTICULIER	FINA	DE L'EX ANCIER I CES PI	VISÉ			•		M	М .
empli	lors	que l'o	eignement son projette de d des terres d	demai	nder	une								olorat	tion à	titre	de pa	artici	patic	n de	la	
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	(	Si dispon	ible)	AA	ММ	٦ì	AA	ММ	11	AA	ММ	IJ			N IUO	ION						
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	1	Frais o	l'exploration –								_										_	
		Eraie d	l'aménagemen	t																		
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	(		des biens								_	-									_	
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										 Γotau Sertifi		 - =				-						
'attes		Coûts	des biens — —						— c	ertifi	catio										  	
'attes		Coûts	des biens – –	que	je sı	uis le	parti		— C	ertifi	<b>cati</b> o	dess	us i demandeu	r mei	ntionr	e e ci	-dess	us			_	
I'attes		Coûts	des biens résente	que	je sı	uis le	parti	ataire	— C r mer dûm	ertifi ntionn ent a	<b>catio</b> lé ci- utori	dess sé du	ı demandeu						com	plets	et a	ue c
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'attes		Coûts	résente  ou  et qu pre	que que e les r	je si je si rens	uis le uis le eigne	parti signa	ataire its ci- mes	r mer dûm dess à tou	ertifi ntionn ent au sus so utes le	cation eé ci- utoris	dess sé du our a spos	ı demandeu ıutant que ie	saci	he, vr	ais.	exact	s et	com	plets	et q	ue cont
'attes		Coûts	résente  ou  et qu pre	que que e les r	je si je si rens	uis le uis le eigne	parti signa	ataire its ci- mes	r mer dûm dess à tou	ertifi ntionn ent au sus so utes le	cation eé ci- utoris	dess sé du our a spos	i demandeu iutant que je itions de la	saci	he, vr ur le	ais, prog	exact	ts et	enco	plets	et q	ue c
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**Canadä** 



#### RENONCIATION RELATIVE À UN MONTANT D'UNE SUBVENTION D'ENCOURAGEMENT DU SECTEUR PÉTROLIER

NUMERO DE CONTRÔLE	E 001	AISISTERE	SEUL	MENT		
NUMERO DE L'ENTITE	F				1	2

Faire remplir ce formulaire par tout ayant droit pour renoncer à la totalité ou à une partie d'une subvention en conformité avec la Loi sur le programme d'encouragement du secteur pétrolier. Dans le cas d'une renoncation, l'ayant droit qui demande une subvention est réputé avoir reçu la totalité ou une partie d'une subvention, selon le cas, à laquelle le demandeur a droit en vertu de la Loi sur le programme d'encouragement du secteur pétrolier.

Pour demander un crédit d'impôt en vertu de la Loi de l'impôt sur les revenus pétroliers, une renonciation d'ûment remplie doit être envoyée au Bureau du Programme d'encouragement du secteur pétrolier, Ministère de l'Énergie, des Mines et des Ressources, C.P. 4515, Succursale «E», 99, 4º avenue, Ottawa (Ontario), K1S 5B5, au plus tard à la date limite pour le dépôt de la Déclaration d'impôt sur le revenu de production (PG 1) en vertu de la Loi de l'impôt sur les revenus pétroliers.

S'il s'agit d'un particulier, la renonciation doit être signée par l'ayant droit qui demande une subvention en vertu de la Loi sur le programme d'encouragement du secteur pétrolier, ou s'il s'agit d'une société ou d'une fiducie, elle doit l'être par le signataire autorisé à ainsi lier la société ou la fiducie. Lorsqu'il s'agit d'une société, celle-ci doit apposer son sceau.

La renonciation doit accompagner chaque demande de subvention, faite en vertu de la Loi sur le programme d'encouragement du secteur pétrolier, à laquelle a trait le montant visé par la renonciation.

					TA	DU COM XÉ SUR L TROLIERS	ES REV	ENU		•	I I	1 1	:	-
NOM DU PARTICULIER, DE I SOCIÉTÉ OU DE LA FIDUCIE		(En lettres mo	ulées)											
ADRESSE	(n° et rue	)		(ville)	(Pro	vince)						(co	de pos	stal)
RENONCIATION VISANT L'EXERCICE PRENANT FIN LE	<b>)</b>	U MM AA		UBVENTION FAIT	S FRAIS ADMISSIBLES POUR LESC L'OBJET D'UNE RENONCIATION FÉTÉ ENGAGÉS	UELS •	DU	AA	MM	L	AU	AA	MM	JJ
DATE DE DÉPÔT DE LA DÉC DE PRODUCTION (PG 1) EN REVENUS PÉTROLIERS POU	VERTU DE L	A LOI DE L'IMP	OT SUR LES	MM JJ	MONTANT DE LA SUBVENT FAISANT L'OBJET D'UNE RI		TION	Þ	S					

Aux fins de réclamation d'un crédit d'impôt en vertu de la Loi de l'impôt sur les revenus pétroliers, le montant ci-dessus de la totalité ou d'une partie d'une subvention et tous droits de recevoir la totalité ou une partie de celle-ci sont par les présentes abandonnés conformément à la Loi sur le programme d'encouragement du secteur pétrolier.

	SIGNATURE		POSTE OU CHARGE	1	DATE	
PARTICULIER OU AGENT AUTORISÈ		(sceau)		AA	ММ	ור
	SIGNATURE		POSTE OU CHARGE		DATE	
PARTICULIER OU AGENT				AA	MM	JJ
AUTORISÉ		(sceau)				
		Formule conforme au Béglement sur le pro-	pramme d'encouragement du secteur pétrolier			

Formule conforme au Réglement sur le programme d'encouragement du secteur pétrol

Canada'

C T -REGL B-5062-1

FORMULE PESP-12

Énergie, Mines et Ressources Canada Energie, Mines and Resources Canada Programme d'encouragement du secteur pétrolier

## AVIS DU PREMIER ACHETEUR ADMISSIBLE PROGRAMMES GÉOPHYSIQUES, GÉOLOGIQUES ET GÉOCHIMIQUES

				NUMÉRO DE CONTRÔLE	•			
Partie A				NUMERO DE L'ENTITÉ	•	t t	-	1
Doit être remp d'encourageme du Canada.	lie par l'acheteur seu ent du secteur pétro	ulement s'il est admissib lier à l'égard des terres	le à une subvention autres que des terre	8				
OM DE ACHETEUR								
DRESSE	(n <sup>o</sup> et rue)	(ville)	(Pr	ovince)		(Co	ode po	stal)
YPE DE PROGRAMME	GÉOPHYSIQUE	□ géologique	☐ GÉOCHIMIQUE	DATE DE L'ACHAT	•	AA	ММ	IJ
Nu	olie par le vendeur à uméro d'autorisation muméro est obtenu des aut		eur susmentionné.					
	s de la demande du permis d ate de la mise en oe	'exploration.) uvre du programme du	vendeur AA	MM JJ				
Da	ate de la fin du prog	ramme	AA	MM JJ				
To	otal du prix d'achat		\$					
	par un groupe, préc es par le demandeur.	ciser la part, en pourcen	atage,	%				
Goo Halo ongago								
NOM DU VENDEUR    en lettres moulees)								
NOM DU VENDEUR   (en lettres moulees) TITRE (Sil s'agit du signataire)	(n <sup>©</sup> et rue)	(ville)	(Pr	ovince)		(C	ode po	stal)

Formule conforme au Reglement sur le programme d'encouragement du secteur pé

Canadä

C T -REGL B-5062-1

Énergie, Mines et Ressources Canada Resources Canada

Programme d'encouragement du secteur pétrolier

#### **DÉCLARATION SUR LE CONTENU CANADIEN** DES PARTICIPANTS À L'EXPLORATION OU À L'AMÉNAGEMENT

FORMULE PESP 13

Remplir cette formule pour dem d'une disposition sur le conten	ander d'être exempté de la rectif	icatio	nenv	vertu			ONTR		E DU MI	NISTÈRE SEULE	MENT	
	u canadien.						'ENTIT	Ė	•		1	
Partie A—Identification OM DE L'UNITÉ VISÉ PAR JETTE FORMULE OU JENTIFICATEUR OU PUITS		F	PÉRIOS	DE VISÉ	E				M J.	J AA AA	MM.	,,
MPLACEMENT DU PUITS	TERRES DU CANADA	TERRE DES TE	S AUT	RES QI DU CA	JE NADA		ACCC			▶ AA	MM	د ل
1 DISPOSITION GÉNÉRALE	SUR LE CONTENU CANADIEN	DISPO	SITION	SURL	E CONTENU C	ANADIEI	N POUI	R LA DU	JRÉE D	UN ACCORD		
Partie B—Participants à l'acc —Donner le nom complet de cha les frais admissibles se rappoi	aque personne ou entité qui déti	ent o	u pei	ut dét	enir un inté	èrêt ac	tif da	ıns la	supe	rficie à laq	uelle	
NOM DILL	DÉTENTEUR		D'AC DE L'IN ACTIF	ITERÉT	T.P.C.		'RÔLE ADIEN		INTÉR ACTI			
	ZERVEON	AA	мм	11	%	OUI	NON		%			
						-						
-Donner le nom complet de cha l'intérêt actif du demandeur.	que personne ou entité qui déti	DATE	D'AC		et ou brut ir	CONT	OU À	être i	PE ÉRĚT	é sur INTERÈT		
NOM DU [	DETENTEUR	AA	мм	11	%	OUI	NON	BRUT	NET	c <sub>o</sub>		
											-	
											-	
							1					

Voir «Coûts des biens» au verso.

Formule conforme au Règlement sur le programme d'encouragement du secteur petrolier

Canad'a

C.T.-REGL B-5062-1

# DÉCLARATION SUR LE CONTENU CANADIEN DES PARTICIPANTS AU TITRE DU COÛT D'UN BIEN

en vertu d'une disposition su	cas d'une demande en vue d'être ex r le contenu canadien.	empté	de la i	ectific	ation	No D	A L'US E ITRÔLE		MINISTER	E SEUL	EMENT	
Partie A—Identification						N° D		•		1	1 1	- 1
NUMÉRO D'AUTORISATION DU PROJET ASSIGNÉ PAR LE MINISTÈRE		PÉRIC	DE VISE	ŧε	•	DU	AA	мм	JJ AL	AA	MM	1 11
MPLACEMENT DU PROJET		RRES AU				DATI L'AC	E DE CORD		•	AA	ММ	111
☐ DISPOSITION GÉNÉRA	LE SUR LE CONTENU CANADIEN DIS	SPOSITIO	N SUR L	E CONT	ENU CANA	DIEN PO	OUR LA	DURÉE	D'UN AC	CORD		
Partie B—Participants à l'ac (1) Donner le nom complet de c les coûts admissibles se rap	chaque personne ou entité qui détie	nt ou p	eut dé	etenir (	un intérê	t actif	dans	s la sup	perficie	à la	quell	e
NOM DL	J DÉTENTEUR		DE L'INT		T.P.C.		TRÔLE ADIEN		INTERÉT ACTIF			
		AA	мм	11	%	OUI	NON		%		_	
											_	
											_	
						-						
l'intérêt actif du demandeur	chaque personne ou entité qui détie											
NOM D	I DÉTENTEUR	DAT	DE L'IN'	UISI- FÉRÉT	T.P.C.		TRÖLE ADIEN		INTÉRÉ	,		
NOM DI	J DÉTENTEUR	DAT	M M	DUISI- FÉRÉT	T.P.C.				INTÉRÉ		_	
NOM DI	J DÉTENTEUR	TION	DE L'IN'	rërët		CAN	ADIEN				- -	
NOM DI	J DÉTENTEUR	TION	DE L'IN'	rërët		CAN	ADIEN				- - -	
NOM DI	J DÉTENTEUR	TION	DE L'IN'	rërët		CAN	ADIEN				- - - -	
	chaque personne ou entité qui détie	AA	MM	JJ	%	OUI	NON		%		- - - - -	quel
(3) Donner le nom complet de le coût admissible d'un bier	chaque personne ou entité qui détie n se rapporte.	ant ou p	eut de	étenir	%	oui oui con	NON	ploitat	%	proje		quel
(3) Donner le nom complet de le coût admissible d'un bier	chaque personne ou entité qui détie	ant ou p	eut de	étenir i	% un intérê	oui oui con	NON S I'ex	ploitat	% ion du	proje	- - - - -	quel
(3) Donner le nom complet de le coût admissible d'un bier	chaque personne ou entité qui détie n se rapporte.	ant ou p	eut de	étenir	% wn intérê	oui oui can	NON S I'ex	ploitat	% ion du	proje	et auc	quel
(3) Donner le nom complet de le coût admissible d'un bier	chaque personne ou entité qui détie n se rapporte.	ant ou p	eut de	étenir	% wn intérê	oui oui can	NON S I'ex	ploitat	% ion du	proje	- - - - - - - - -	quel
(3) Donner le nom complet de le coût admissible d'un bier	chaque personne ou entité qui détie n se rapporte.	ant ou p	eut de	étenir	% wn intérê	oui oui can	NON S I'ex	ploitat	% ion du	proje		quel

**Canadä** 

Voir «L'exploration ou l'aménagement» au recto.

### CALCUL DU POURCENTAGE D'INTÉRÊT ACTIF NET

FORMULE PESP-14(1)

- Au besoin, joindre d'autres FORMULES PESP-14(1).
   Utiliser, s'il y a lieu, une appeye distincte pour les coût.

Partie A—Identification													A L USAGE DU MINISTÈRE SEULEMENT N° DE CONTRÔLE  A L USAGE DU MINISTÈRE SEULEMENT N° DE					
ENTIFICATEUR I PUITS			RIODE	DU	AA	MM	11	AU	A	A MM	11	N° DE	USA	GE DU MIN	STEF	E SEULEMI	NT I	
rtie B—Décla	ration										-							
Companies and a		- 4														hectar	20	
	e par l'intérêt actif ne							,					Repo la FO	orter a la ligr ORMULE PE	e 07	de 5		
d'intérêt actif.	scription de toute zo	one ou sub	stance so	us-jac	entes	a la s	uperi	licie	as	ans laqu	elle	ie dema	and	eur ne	det	ent pas		
ZONES ET(OU) SUBSTANCES EXCLUES					T						M	OTIFS DE L	EX	CLUSION				
N- 0 1-16-5	A 418																	
rtie C-Intéré	et actif																	
IntérAt actif du	demandeur dans la s	cuparficia	vicáa nar	un inté	irêt ar	stif no	t								_		%	
interet actif du	demanded dans la s	Superficie	vioce pai	an inc	, ce ac	JUI 110								-	Repor	ter a la ligne la partie E)	12	
	est-il exempté de ca									□ NO	N							
	est-il exempté de ca ve, remplir la partie E									□ NO	IN							
Dans l'affirmativ	ve, remplir la partie E	E, dans la r	négative r	emplir l						□ NO	IN							
Dans l'affirmation	ve, remplir la partie E	E, dans la r	iégative ro	emplir I r <b>êt</b>	es pa	rties [	O et E		_				_					
Dans l'affirmation de la comme	ve, remplir la partie E I <b>l du facteur de ré</b> rêts nets ou bruts ay	E, dans la r	iégative ro d <b>e l'inté</b> l'intérêt ac	emplir l r <b>êt</b> otif du (	es pa	rties (	dans	s la s	Sup	perficie	арр			ée par	un i	ntérêt		
Dans l'affirmation partie D—Calcumumérer les inté	ve, remplir la partie E	E, dans la r	iégative ro d <b>e l'inté</b> l'intérêt ac	emplir l r <b>êt</b> otif du (	es pa	rties (	dans	s la s	Sup	perficie	арр			ée par	un i			
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Dans l'affirmation rtie D—Calculumérer les intétif net. Si ces in Mota— 1. Inscr 2. P.I.—3. P.P.I.—4. E—Calculumérêt actif glo Moins: "Facter	re, remplir la partie E  il du facteur de ré  rêts nets ou bruts ay térêts ne portent pas  NOM DU PROP  ire le pourcentage pe  -Pourcentage de pét  -Pourcentage de pét  il du pourcentage bal dans la superfici	E, dans la réduction de yant trait à les sur la pérentier de l'intérier ou de étrole ou de certain de l'intérier on de l'int	né ou le pe gaz sur le gat a ctif	lus éle equel lurine de la contraction de la con	es par demar liser u vé si l l'intéré quel l'	Findeurine FC	dans ORM  TO DINT BRUT HISCORD  BRUT HISCORD	S la s la s ULE	tol cuest	berficie ESP-14 Interest vivor notice of the communication of the commun	appp x x x x x x x x x x x x x x x x x x	distinct	e.	intérêt	(Report	FACTEUR REDUCTION DE LINTER 9/0	NAT TO	

Énergie, Mines et Energy, Mines and Ressources Canada Resources Canada Programme d'encouragement du secteur pétrolier

FORMULE PESP-14(2)

#### DÉTERMINATION DU POURCENTAGE D'INTÉRÊT ACTIF NET NÉCESSAIRE AU CALCUL DU POURCENTAGE DES FRAIS RECTIFIÉS D'ÉQUIPEMENT ET POSTÉRIFURS À 1 'ÉQUIPEMENT

	D'ÉQUIPEMENT ET POSTÉRIEURS	À L'ÉQUIP
Au besoin, joindre d'autres FORMULE PESP, 14(2)		

- Lorsque l'intérêt actif varie, calculer le pourcentage d'intérêt actif net de chaque intérêt actif en utilisant une FORMULE PESP-14(2) distincte. Utiliser l'intérêt actif net le plus faible dans la FORMULE PESP-02.
- Si le pourcentage des frais d'équipement et des frais postérieurs à l'équipement dépasse le plus faible des pourcentages d'intérêt actif net, les frais admissibles à l'égard d'un puits doivent être ramenés à zéro.

Partie A—Identification									
IDENTIFICATEUR DU PUITS	PÉRIODE VISÉE	DU	AA	MM	11	ΑU	AA	MM	JJ
Intérêt actif du demandeur dans la superficie visée par un i	ntérêt actif net						orter a la de la pari	igne 1	% = 1

Partie B-Calcul du facteur de réduction de l'intérêt

Donner l'intérêt brut et net imputé sur l'intérêt actif du demandeur, et qui appartient à une personne qui possède un intérêt actif dans la superficie visée par un intérêt actif net ou par une personne qui a des liens de dépendance avec une telle personne.

NOM DU PROPRIÉTAIRE DE L'INTÉRÊT	D INT			intérêt (voir nota 1)		P ( (voir nota 2)		P P (voir note 3)		FACTEUR DE RÉDUCTION DE LINTERET	
	BRUT (inscrire 3 )	NET (inscrire 1 )		%		% %		%		%	
			X		X		÷		3		02
			X		X		÷		=		03
			X		X		÷				04
			X		X		÷		==		0.5
			Χ		Х		÷		=		06
			Х		X		÷		===		07

Facteur global de réduction de l'intérê

(Reporter à la ligne 09 de la partie C)

- Nota—1. Inscrire le pourcentage prédéterminé ou le plus élevé si l'intérêt est calculé comme tranche de pourcentage
  - 2. P.I.—Pourcentage de pétrole ou de gaz sur lequel l'intérêt net ou brut est imputé.
  - 3. P.P.—Pourcentage de pétrole ou de gaz à partir duquel l'intérêt net ou brut est payé.

artie C—Calcul du pourcentage de l'intérêt actif net — équipement, postérieurs à l'équipement	
Intérêt actif global dans la superficie visée — — — — — — — — — — — — — — — — — — —	_% 10

Cette formule est conforme au Règlement sur le programme d'encouragement du secteur petrolier

C T -REGL B-5062-1

(Also available in English)





Énergie, Mines et Energy, Mines and Pessources Canada Resources Canada

Programme d'encouragement du secteur pétrollere

# RECTIFICATION DES FRAIS D'EXPLORATION ET D'AMÉNAGEMENT ADMISSIBLES

FORMULE PESP-15

	Utiliser une	<b>FORMUL</b>	F PESP-1	5 distincte	pour chaque	puits
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artie A—Identification								A L USAGE N° DE CONTRÔLE	DU MINISTERE	SEULEMENT
NTIFICATEUR PUITS	PÉRIODE VISÉE	מע	MM AA	11	TO A	A M	M JJ	A L USAGE N° DÉ L'ENTITÉ	DU MINISTERE	SEULEMENT
rtie B—Rectification Frais liés à un intérêt actif à gagner ou	à un intérêt ac	auie						TECHNIC		
Type de frais —   Frais liés à l'inté		•	is liés à	นก inf	érêt a	acqui	s	Frais frag	opés d'une	e pénalité
(Remplir les parties a)	et b) et c) ci-après)		(Remplir la	partie o	c) ci-apr			(Remplir la p	artie B(2) a) ou selon le cas)	
☐ Puits d'explorat	tion en communa	Remplir la	partie B(3)	seulem	ent)					
— Pults de délimitation										
Les frais liés à l'intérêt actif : terres du Canada?	à gagner concer		un puit	s de	delimi	itation	dans		AM DD ;	
Dans l'affirmative, indiquer la	date d'approbat	ion par	le Minis	tre –				-		
- Rectification des frais d'acquisition										
Si le demandeur a engagé ou convenu d	0 0		,							
ou d'entretien, ce montant peut être dé Total des frais admissibles				_	_	-		_	n.	
de la FORMULE PESP-02							•			0.1
moins — Frais d'acquisitio	on									02
								-1		_
Total des frais admissibles	iles a i interet ac	tir a ga	igner (c	oujets	a une	recti	rication	ī)		0.3
— Calcul du facteur de rectification										
Établir le facteur de rectification s'appliq		'aide d	e la forn	nule c	i-dess	sous.	(F X P	PIAN X (SIAN	<u>-</u> )	
Frais liés à l'intérêt actif										2
F — Frais liés à l'intérêt actif									1	^
Frais liés à un intérêt a										1
PIAN — pourcentage d'intérêt a										6 04
PF — pourcentage des frais - SM — superficie minimale (0									Hectare	
SIAN — superficie visée par l'int										
Calculer le facteur de rectification						-	_			
F X _PIA	N		SIAN							
Р	F		SM							
		Χ					=		0.8	
Inscrire le moin ou du quotient				ire le moi				Inscrire le moind ou du facteur de n	re de 1	
\$	09 X			<b>\$</b>				\$		
Frais admit	ssibles F	acteur de re			Fi	as adm		Re:	orter a la ligne il	. 10
(CT FORMULE PESP-C ou la presente For	mule ligne 03)	(Cr tight	- 06)			rectifi	7.5		Acrese	

Formule conforme au Règlement sur le programme d'encouragement du secteur petrolier

C.T.-REGL\_B-5060-1



Also maurine in English

			Montant	de la ligne 10 du	recto	
e B (2)—Rectification	n des frais frappés o	d'une pénalite	é			
emplir seulement dans l	e cas de frais admissibl	les frappés d'ur	ne pénalité			
roduction frappée d'u	ne pénalité (terres du	ı Canada)				
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-	Énergie, Mines et Resources Canada	Energy, Mines and Ressources Canada	
	Programme d'encoura	gement du secteur pé	trolier

# CHOIX CONCERNANT LES SUBVENTIONS RELATIVES AUX DÉPENSES APPROUVÉES EN VERTU DE LA PARTIE II

FORMULE PESP-16

Partie A - Identificatio	n	PROVINCE DE LA SASKATCHEWAN	NUMÉRO DE CONTRÔLE	A L USAC	SE DU MINIS	TÊRE SEULEME	,NT
	(En lettres moulées)		NUMÉRO DE L'ENTITÉ	•	1		I I
ADRESSE	(n° et rue)	(ville) (province)				code po	stal

- À l'usage d'un demandeur qui a ou peut avoir le droit de recevoir une subvention relative aux dépenses approuvées (un "crédit gagné") en vertu de la Partie II du "Oil and Gas Incentive Regulations, 1978,",de la province de la Saskatchewan ("Programme de la Saskatchewan"), en ce qui a trait à des coûts ou frais admissibles.
- Ce choix ne peut être fait qu'au moment de la présentation de la première demande de subvention à laquelle se rapporte le crédit gagné en vertu du sous-alinéa 12(1)(a)(ii) du règlement.
- Lorsque ce choix n'est pas fait, les crédits gagnés entraînent une réduction des coûts ou frais admissibles, conformément au sous-alinéa 12(1)(a)(ii) du règlement.
- Lorsque ce choix est fait, les crédits gagnés n'entraînent pas de réduction des coûts ou frais admissibles, en vertu du sous-alinéa 12(1)(a)(ii) du règlement. Cependant, conformément au paragraphe 12(5) du règlement, les montants reçus en vertu du programme de la Saskatchewan réduisent les coûts ou frais admissibles en vertu du sous-alinéa 12(1)(a)(ii) du règlement. Ainsi, le demandeur peut être obligé de présenter une déclaration relative à la rectification et de rembourser la totalité ou une partie d'une subvention reçue. De plus, il est convenu qu'une subvention versée en tenant compte de la présente, engage et s'applique à toutes demandes de subvention futures.
- Ce choix doit être confirmé par un demandeur ou une personne qui est autorisée, de par la loi, à signer en son nom. Dans le cas d'une société:
  - a) lorsque les directeurs de la société sont autorisés, de par la loi, à administrer les affaires de la société, une copie attestée de la résolution autorisant le choix doit être jointe à la demande.
  - b) lorsque les directeurs de la société n'ont pas le droit, de par la loi, d'administrer les affaires de la société, une copie authentique de leur autorisation de faire le choix, signée par la ou les personnes qui ont légalement le droit d'administrer les affaires de la société, doit être jointe à la demande.

Le soussigné choisit par la présente, de ne pas tenir compte des montants décrits à l'alinéa 12(5)(a), (b) ou (c) du règlement dans l'application du sous-alinéa (12)(1)(a)(ii) du règlement, et de tenir compte de toutes subventions reçues après 1980 en vertu du "Programme de la Saskatchewan" dans l'application du sous-alinéa (12)(1)(a)(ii) du règlement, conformément aux alinéas (12)(5)(d) et (e) du règlement.

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Formule conforme au Règlement sur le programme d'encouragement du secteur pétrolier

C.T.-RÈGL B-5062-1

(Also available in English)



#### SCHEDULE II

#### PART I

# NET WORKING INTEREST PERCENTAGE REDUCTION FACTORS

## Interpretation

Item 1. In this Part,

- (a) "PC" is the percentage of oil or gas
  - (i) recovered from the tract to which the net interest or gross interest pertains, and
  - (ii) against which the net interest or gross interest is charged;
- (b) "PP" is the percentage of oil or gas
  - (i) recovered from the tract to which the net interest or gross interest pertains, and
  - (ii) out of which the net interest or gross interest is paid;
- (c) "PR" is the predetermined percentage or the highest percentage of the predetermined range of percentages by which the net interest or gross interest is calculated;
- (d) "RF" is the reduction factor in relation to the net interest or gross interest.

# Formula 1:

$$RF = PR \times \frac{PC}{PP}$$

# Formula 2:

$$RF = 3 \times PR \times \frac{PC}{PP}$$

### PART II

# ADJUSTMENT OF ELIGIBLE COST OR EXPENSE

#### Interpretation

Item 2. In this Part,

- (a) "A" is the amount of an eligible cost or expense adjusted in accordance with the relevant formula;
- (b) "C" is the amount of an eligible asset cost before adjustment in accordance with the relevant formula;
- (c) "CP" is the cost percentage of the applicant in respect of the eligible asset cost that is adjusted;
- (d) "E" is the amount of an eligible expense before adjustment in accordance with the relevant formula;
- (e) "EP" is the expense percentage of the applicant determined in respect of the eligible expense that is adjusted;
- (f) "IP" is the lesser of NWIP and OIP;
- (g) "MLB" is the minimum land block in respect of the eligible expense that is adjusted;
- (h) "NWILA" is the net working interest land area in respect of the eligible cost or expense that is adjusted;
- (i) "NWIP" is, at the time the eligible cost or expense that is adjusted is incurred, the net working interest percentage of the applicant in respect of the NWILA;

#### ANNEXE II

#### PARTIE I

# FACTEURS DE RÉDUCTION DU POURCENTAGE D'INTÉRÊT ACTIF NET

# Définitions

- Article 1. Les définitions qui suivent s'appliquent à la présente partie;
  - a) «PC» Le pourcentage de pétrole ou de gaz
    - (i) récupéré de la parcelle à laquelle se rapporte l'intérêt brut ou net, et
  - (ii) sur lequel est imputé l'intérêt net ou brut;
  - b) «PP» Le pourcentage de pétrole ou de gaz
    - (i) récupéré de la parcelle à laquelle se rapporte l'intérêt brut ou net, et
    - (ii) à partir duquel l'intérêt net ou brut est payé;
  - c) «PR» Le pourcentage prédéterminé ou le pourcentage le plus élevé de la tranche prédéterminée des pourcentages à partir duquel l'intérêt net ou brut est calculé;
  - d) «RF» Le facteur de réduction qui se rapporte à l'intérêt net ou brut.

## Formule 1:

$$RF = PR \times \frac{PC}{PP}$$

# Formule 2:

$$RF = 3 \times PR \times PC$$

## PARTIE II

#### RECTIFICATION DES COÛTS OU FRAIS ADMISSIBLES

# Définitions

- Article 2. Les définitions qui suivent s'appliquent à la présente partie;
  - a) «A» Le montant des coûts ou frais admissibles rectifié selon la formule pertinente;
  - b) «C» Le montant du coût admissible d'un bien, déterminé avant rectification selon la formule pertinente;
  - c) «CP» Le pourcentage des coûts assumés par le demandeur à l'égard du coût admissible rectifié d'un bien;
  - d) «E» Le montant des frais admissibles, avant rectification selon la formule pertinente;
  - e) «EP» Le pourcentage des frais engagés par le demandeur déterminé à l'égard des frais admissibles rectifiés;
  - () «PI» Équivaut au moindre de PIAN et de PIE;
  - g) «SM» La superficie minimale en fonction de laquelle des frais admissibles sont rectifiés;
  - h) «SIAN» La superficie visée par l'intérêt actif net à l'égard des coûts ou frais admissibles rectifiés;

- (j) "OIP" is, at the time the eligible asset cost that is adjusted is incurred, the operating interest percentage of the applicant in respect of the eligible asset cost;
- (k) "PPP" is the penalty production percentage of the applicant in respect of the penalty expense that is adjusted; and
- (1) "TEP" is the tract expense percentage of the applicant in respect of the unit tract to which the eligible expense that is adjusted is allocated pursuant to the unit agreement.

# Formula 3:

$$A = E \times \frac{NWIP}{EP} \times \frac{NWILA}{MLB}$$

but where NWIP exceeds EP, NWIP EP

is deemed to be 1, and where NWILA exceeds MLB,

# **NWILA**

MLB is deemed to be 1.

## Formula 4:

$$A = E \times \underbrace{2 \times NWIP}_{EP} \times \underbrace{NWILA}_{MLB},$$

but where  $2 \times NWIP$  exceeds EP,  $2 \times NWIP$ 

is deemed to be 1,

and where NWILA exceeds MLB, NWILA MLB

is deemed to be 1.

#### Formula 5:

$$A = E \times \frac{10 \times NWIP}{EP} \times \frac{NWILA}{MLB},$$

but where  $10 \times NWIP$  exceeds EP,  $\underbrace{10 \times NWIP}_{EP}$ 

is deemed to be 1,

and where NWILA exceeds MLB,  $\frac{NWILA}{MLB}$ 

is deemed to be 1.

Formula 6:

$$A = E \times \frac{PPP-100\%}{400\%}$$

Formula 7:

$$A = E \times \frac{PPP-100\%}{200\%}$$

- i) «PIAN» Au moment où les coûts ou frais admissibles rectifiés sont engagés, le pourcentage d'intérêt actif net du demandeur, en ce qui a trait au SIAN;
- j) «PIE» Au moment où le coût admissible rectifié d'un bien est engagé, le pourcentage d'intérêt dans l'exploitation du demandeur, en ce qui concerne le coût admissible du bien;
- k) «PPP» Le pourcentage de la production frappée d'une pénalité du demandeur en ce qui concerne des frais frappés d'une pénalité qui sont rectifiés; et
- l) «PFP» Le pourcentage des frais d'une parcelle engagés par le demandeur à l'égard de la parcelle unitaire à laquelle les frais admissibles rectifiés sont alloués en vertu de l'accord d'union.

# Formule 3:

$$A = E \times \frac{PIAN}{EP} \times \frac{SIAN}{SM},$$

mais lorsque PIAN est plus élevé que EP,  $\underbrace{PIAN}_{EP}$  est réputé

être égal à 1, et lorsque SIAN est plus élevé que SM, est réputé être égal à 1.  $\frac{SIAN}{SM}$ 

## Formule 4:

$$A = E \times \underbrace{2 \times PIAN}_{EP} \times \underbrace{SIAN}_{SM},$$

lorsque le produit de 2 × PIAN est plus élevé que EP,

$$2 \times \frac{PIAN}{EP}$$

est réputé être égal à 1, et lorsque SIAN est plus élevé que SM, SIAN est réputé être égal à 1.

#### Formule 5:

$$A = E \times \underbrace{10 \times PIAN}_{EP} \times \underbrace{SIAN}_{SM},$$

mais lorsque le produit de  $10 \times PIAN$  est plus élevé que EP,  $10 \times \underbrace{PIAN}_{EP}$  est réputé être égal à 1, et lorsque SIAN est plus

élevé que SM, SIAN est réputé être égal à 1.

#### Formule 6:

$$A = E \times \frac{PPP-100\%}{400\%}$$

## Formule 7:

$$A = E \times \frac{PPP-100\%}{200\%}$$

Formula 8:

 $A = E \times \underbrace{NWIP}_{TEP}$ 

Formula 9:

 $A = C \times \frac{IP}{CF}$ 

#### Formule 8:

 $A = E \times \frac{PIAN}{PFP}$ 

Formule 9:

 $A = C \times \frac{PI}{CP}$ 

#### SCHEDULE III

#### PAYMENT OF PROGRAMS

- Approved Expenditure Grants, under Part II of The Oil and Gas Incentive Regulations, 1978 of the Province of Saskatchewan,
- Item 2. Certified Exploratory Well Grants, under Part III of The Oil and Gas Incentive Regulations, 1978 of the Province of Saskatchewan.

# SCHEDULE IV

#### LAND AREAS

- Item 1. Bay of Fundy and St. Lawrence Estuary Area The Bay of Fundy and St. Lawrence Estuary Area consists of
  - (a) those underwater lands located north-east of a line drawn from Cape St. Mary on the Nova Scotia mainland to Southwest Head on Grand Manan Island, and extending northwest to the Canada/United States border; and
  - (b) those underwater lands east of the eastern end of Ile d'Orléans to a line drawn from Cap-des-Rosiers on the Gaspé Peninsula to Pointe de l'ouest on Anticosti Island, and thence to the mouth of Rivière-St-Jean.

# Item 2. Eastern Area

The Eastern Area consists of those lands

- (a) in the province of Ontario bounded as follows:
  - (i) on the north, by the Ottawa River,
  - (ii) on the west, by a line proceeding in a southerly direction from 45°30′ north, 76°15′ west, on the south shore of the Ottawa River to 44°35′ north, 76°15′ west,
  - (iii) on the south, by a line proceeding in an easterly direction from 44°35′ north, 76°15′ west to 44°35′ north, 75°35′ west on the north shore of the St. Lawrence River, thence along the north shore of the St. Lawrence River, and
  - (iv) on the east, by the Ontario/Quebec border;
- (b) in the province of Quebec bounded as follows:
  - (i) on the north, by a line proceeding in a northeasterly direction from 45°35′ north, 74°20′ west on the Ottawa

#### ANNEXE III

#### AIDE FINANCIÈRE OU PRESTATIONS

- Article 1. Subventions au titre des dépenses approuvées, en vertu de la partie II du règlement intitulé *The Oil and Gas Incentive Regulations, 1978* de la province de la Saskatchewan.
- Article 2. Subventions au titre des puits d'exploration certifiés, en vertu de la partie III du règlement intitulé The Oil and Gas Incentive Regulations, 1978 de la province de la Saskatchewan.

# ANNEXE IV

#### SUPERFICIE DES TERRES

- Article 1. Baie de Fundy et région de l'estuaire du Saint-Laurent
  - La région de la baie de Fundy comprend
    - a) toutes les terres submergées sises au nord-est d'une ligne reliant le Cap Sainte-Marie, en Nouvelle-Écosse, à la pointe sud-ouest de l'Île Grand-Manan et s'étendant au nord-ouest jusqu'à la frontière canado-américaine; et
    - b) toutes les terres submergées à l'est de la pointe est de l'Île d'Orléans jusqu'à une ligne reliant le Cap-des-Rosiers sur la péninsule de la Gaspésie à la Pointe de l'ouest sur l'Île d'Anticosti et s'étendant jusqu'à l'embouchure de la rivière Saint-Jean.

## Article 2. Région de l'Est

La région de l'Est comprend les terres sises

- a) dans la province d'Ontario et délimitées comme suit:
  - (i) au nord, par la rivière des Outaouais,
  - (ii) à l'ouest, par une ligne se dirigeant vers le sud à partir du point 45°30′ nord, 76°15′ ouest; sur la rive sud de la rivière des Outaouais et jusqu'au point 44°35′ nord, 76°15′ ouest,
  - (iii) au sud, par une ligne se dirigeant vers l'est à partir du point 44°35′ nord, 76°15′ ouest jusqu'au point 44°35′ nord, 75°35′ ouest sur la rive nord du fleuve Saint-Laurent et longeant la rive nord du fleuve Saint-Laurent, et
  - (iv) à l'est, par la frontière entre le Québec et l'Ontario;
- b) dans la province de Québec et délimitées comme suit:
  - (i) au nord, par une ligne se dirigeant vers le nord-est à partir du point 45°35′ nord, 74°20′ ouest sur la rivière

River to 46°45′ north, 72°00′ west, thence easterly to 46°45′ north, 71°15′ west on the St. Lawrence River, thence along the south shore of the St. Lawrence River to Cap-des-Rosiers,

- (ii) on the south, by the Canada/United States border and the New Brunswick/Quebec border, and
- (iii) on the east, by the Gulf of St. Lawrence;
- (c) in the province of Quebec known as Anticosti Island and Isles de la Madeleine; and
- (d) in the provinces of New Brunswick, Nova Scotia and Prince Edward Island, excluding the Bay of Fundy and St. Lawrence Estuary Area.

# Item 3. Foothills and Western Area

The Foothills and Western Area consists of those lands in the province of British Columbia, excluding the Northern Area.

#### Item 4. Central Canada Area

The Central Canada Area consists of those lands

- (a) in the province of Manitoba bounded on the west by a line proceeding in a northwesterly direction from 55°05′ north, 91°45′ west on the Manitoba/Ontario border to 56°30′ north, 94°25′ west, thence in a northwesterly direction to 58°00′ north, 95°30′ west, thence in a northeasterly direction to 58°55′ north, 94°40′ west on the shore of Hudson Bay;
- (b) in the province of Ontario, excluding the Eastern Area, the Southwestern Area and the Lake Erie Area;
- (c) in the province of Quebec, excluding the Eastern Area; and
- (d) in the provinces of Newfoundland and Labrador.

#### Item 5. Lake Erie Area

The Lake Erie Area consists of those lands under the waters of Lake Erie north of the Canada/United States border.

#### Item 6. Liard Area

The Liard Area consists of those lands in the Northwest Territories bounded as follows:

- (a) on the north, by the Mackenzie River and the south shore of Great Slave Lake:
- (b) on the west, by the Liard River;
- (c) on the south, by 60° north parallel of latitude; and
- (d) on the east, by the Slave River.

#### Item 7. Lloydminster Area

The Lloydminster Area consists of those lands in the province of Saskatchewan bounded as follows:

- (a) on the north, by Township 59, Ranges 16 to 27, west of the 3rd Meridian:
- (b) on the west, by the Alberta/Saskatchewan border;
- (c) on the south, by Township 39, Ranges 17 to 28, west of the 3rd Meridian; and
- (d) on the east, by Townships 39 to 42, Range 17 and Townships 43 to 58, Range 16, all west of the 3rd Meridian.

- des Outaouais jusqu'au point 46°45′ nord, 72°00′ ouest; et de là, vers l'est jusqu'au point 46°45′ nord, 71°15′ ouest sur le fleuve Saint-Laurent et longeant la rive sud du fleuve Saint-Laurent jusqu'au Cap-des-Rosiers,
- (ii) au sud, par la frontière canado-américaine et la frontière entre le Québec et le Neuveau-Brunswick, et
- (iii) à l'est, par le golfe Saint-Laurent;
- c) dans la province de Québec et connues sous le nom d'Île d'Anticosti et des Îles de la Madeleine; et
- d) dans les provinces du Nouveau-Brunswick, de la Nouvelle-Écosse et de l'Île-du-Prince-Édouard, exception faite des régions de la baie de Fundy et de l'estuaire du Saint-Laurent.

# Article 3. Avant-monts et Ouest

La région des avant-monts de l'Ouest comprend toutes les terres sises dans la province de la Colombie-Britannique qui ne font pas partie de la région du Nord.

## Article 4. Région centrale

La région centrale comprend les terres sises

- a) dans la province du Manitoba et délimitées comme suit: à l'ouest, par une ligne se dirigeant vers le nord-ouest à partir du point 55°05′ nord, 91°45′ ouest sur la frontière entre le Manitoba et l'Ontario jusqu'au point 56°30′ nord, 94°25′ ouest; de là, vers le nord-ouest jusqu'au point 58°00′ nord, 95°30′ ouest et ensuite vers le nord-est jusqu'au point 58°55′ nord, 94°40′ ouest sur les rives de la Baie d'Hudson;
- b) dans la province d'Ontario, sauf les terres de la Région de l'Est, la Région du Sud-ouest et la Région du lac Érié;
- c) dans la province de Québec, sauf la Région de l'Est;
- d) dans la province de Terre-Neuve et au Labrador.

# Article 5. Lac Érié

La région du lac Érié comprend les terres submergées par les eaux du lac Érié et sises au nord de la frontière canado-américaine.

#### Article 6. Bassin Liard

La région du bassin Liard comprend les terres sises dans les territoires du Nord-Ouest et délimitées comme suit:

- a) au nord, par le fleuve Mackenzie et la rive sud du Grand Lac des Esclaves:
- b) à l'ouest, par la rivière Liard;
- c) au sud, par le parallèle 60° nord; et
- d) à l'est, par la rivière des Esclaves.

#### Article 7. Région de Lloydminster

La région de Lloydminster comprend les terres sises dans la province de la Saskatchewan et délimitées comme suit:

- a) au nord, le township 59, rangs 16 à 27 inclusivement, à l'ouest du 3° méridien:
- b) à l'ouest, par la frontière entre l'Alberta et la Saskatchewan;
- c) au sud, par le township 39, rangs 17 à 28 inclusivement, à l'ouest du 3° méridien; et
- d) à l'est, par les townships 39 à 42 inclusivement, rang 17; les townships 43 à 58 inclusivement, rang 16, tous à l'ouest du 3° méridien.

## Item 8. Mackenzie Valley and Yukon Territory Area

The Mackenzie Valley and Yukon Territory Area consists of those lands in the Yukon Territory and those lands in the Northwest Territories bounded as follows:

- (a) on the north, by 68° north parallel of latitude:
- (b) on the west, by the Yukon Territory/Northwest Territories border;
- (c) on the south, by the Liard Area; and
- (d) on the east, by a line proceeding in a northwesterly direction from the south shore of Great Slave Lake at the mouth of the Slave River, across Great Slave Lake to 63°05' north, 116°25' west on the North Arm, thence in a northwesterly direction to 65°40' north, 118°30' west on the south shore of Great Bear Lake, thence across Great Bear Lake to 66°55' north, 120°30' west on the north shore of Great Bear Lake, thence in a northeasterly direction to 68°00' north, 119°00' west.

#### Item 9. Northern Area

The Northern Area consists of those lands

- (a) in the province of British Columbia bounded as follows:
  - (i) on the east, by the British Columbia/Alberta border.
  - (ii) on the north, by the British Columbia/Northwest Territories/Yukon Territory border,
  - (iii) on the south and west, by the lands listed below:

NATIONA	L TOPOGRAPHIC SERIES	BLOCKS
	93 — 1 — 16	GHK
	93 — P — 01	D
	93 — P — 02	ΗI
	93 — P — 07	BEF
	93 — P — 06	I
	93 — P — 11	BF

and Township 77, Range 22; Township 78, Range 23; Township 79, Range 24; Township 80, Ranges 25 and 26; Townships 81 and 82, Range 26; all west of the 6th Meridian: and

and 62, Kange 26, an wes	t of the oth Meridian, and
94 — B — 01	I
94 — B — 08	B G J
94 — B — 09	BFL
94 — B — 16	DEL
94 — G — 02	AHI
94 — G — 07	B G J
94 — G — 10	CFK
94 — G — 15	D
94 — G — 14	НЈ
94 — J — 03	CFL
94 — J — 06	D
94 — J — 05	НЈ
94 — J — 12	CEL
94 — K — 16	ΑΗJ
94 — N — 01	BFL
94 — N — 07	A G J

# Article 8. Vallée du Mackenzie et Yukon

La région de la vallée du Mackenzie et du Yukon comprend toutes les terres sises dans le territoire du Yukon et les territoires du Nord-Ouest et délimitées comme suit:

- a) au nord, par le 68° parallèle nord de latitude;
- b) à l'ouest, par la frontière entre le Yukon et les territoires du Nord-Ouest:
- c) au sud, par le bassin Liard; et
- d) à l'est, par une ligne se dirigeant vers le nord-ouest à partir de la rive sud du Grand Lac des Esclaves, à l'embouchure de la rivière des Esclaves, et traversant le Grand Lac des Esclaves jusqu'au point 63°05′ nord, 116°25′ ouest, sur le bras nord; de là, en direction nord-ouest jusqu'au point 65°40′ nord, 118°30′ ouest sur la rive sud du Grand Lac de l'Ours; de là, en traversant le Grand Lac de l'Ours jusqu'au point 66°55′ nord, 120°30′ ouest sur la rive nord du Grand Lac de l'Ours; et de là, vers le nord-est jusqu'au point 68°00′ nord, 119°00′ ouest.

# Article 9. Région du Nord

S

La région du Nord comprend les terres sises

- a) dans la province de la Colombie-Britannique et délimitées comme suit:
  - (i) à l'est, par la frontière entre l'Alberta et la Colombie-Britannique,
  - (ii) au nord, par la frontière entre la Colombie-Britannique, les territoires du Nord-Ouest et le Yukon,
  - (iii) au sud et à l'ouest par les terres adjacentes énumérées ci-dessous:

YSTÈME NATIONAL DE RÉFÉRENCE	BLOCS
CARTOGRAPHIQUE	
93 — 1 — 16	GHK
93 — P — 01	D
93 — P — 02	ΗI
93 — P — 07	BEF
93 — P — 06	I
93 — P — 11	BF

et le township 77, rang 22; township 78, rang 23; township 79, rang 24; township 80, rangs 25 et 26; townships 81 et 82, rang 26; tous à l'ouest du 6° méridien, et

01	I
08	BGJ
09	BFL
16	DEL
02	AHI
— 07	BGJ
— 10	CFK
<del> 15</del>	D
14	ΗJ
— 03	CFL
— 06	D
05	ΗJ
— 12	CEL
<del></del> 16	AHJ
01	BFL
07	A G J

(b) in the province of Saskatchewan, excluding the Plains Area and the Lloydminster Area; and

(c) in the province of Manitoba, excluding the Plains Area and the Central Canada Area.

#### Item 10. Plains Area

The Plains Area consists of those lands

- (a) in the province of Saskatchewan, excluding the Lloydminster Area and bounded as follows:
  - (i) on the north, by Township 66, Ranges 17 to 27, Township 65, Ranges 14 to 16, Township 64, Ranges 11 to 13. Township 63. Ranges 8 to 10. Township 62. Ranges 5 to 7, Township 61, Ranges 1 to 4, all west of the 3rd Meridian, and Township 60, Ranges 25 to 27. Township 59, Ranges 22 to 24, Township 58, Ranges 20 to 21, Township 57, Range 20, Township 56, Ranges 17 to 19, Township 55, Ranges 14 to 16, Township 54, Ranges 12 to 13, Township 53, Range 12, Township 52, Ranges 7 to 11, Township 51, Ranges 3 to 6, Township 50, Ranges 1 to 2, all west of the 2nd Meridian, and Township 50, Ranges 30 and 31, all west of the Prime Meridian.
  - (ii) on the west, by the Alberta/Saskatchewan border,
  - (iii) on the south, by the Canada/United States border, and
  - (iv) on the east, by the Saskatchewan/Manitoba border; and
- (b) in the province of Manitoba bounded as follows:
  - (i) on the north, by Township 50, Ranges 26 to 29, Township 47, Ranges 17 to 25, Township 30, Ranges 8 to 16 and Township 14, Ranges 1 to 7,
  - (ii) on the east, by Townships 48 to 50, Range 26, Townships 31 to 47, Range 17, Townships 15 to 30, Range 8 and Townships 1 to 14, Range 1, all west of the Prime Meridian,
  - (iii) on the west, by the Saskatchewan/Manitoba border, and
  - (iv) on the south, by the Canada/United States border.

#### Item 11. Southwestern Ontario Area

The Southwestern Ontario Area consists of those lands

- (a) in the province of Ontario bounded as follows:
  - (i) on the north, by a line proceeding in a westerly direction from 44°25' north, 76°25' west to 44°45' north, 79°45' west on the shore of Georgian Bay, thence along the southern shore of that Bay,
  - (ii) on the west, by the shorelines of Lake Huron and the waterways interconnecting with Lake Erie,

- b) dans la province de la Saskatchewan qui ne font pas partie de la région des Plaines ou de la région de Lloydminster; et
- c) dans la province du Manitoba qui ne font pas partie de la région des Plaines ou de la région centrale.

#### Article 10. Région des Plaines

La région des Plaines comprend les terres sises

- a) dans la province de la Saskatchewan délimitées comme suit et excluant les terres de la région de Lloydminster:
  - (i) au nord, par le township 66, rangs 17 à 27 inclusivement; le township 65, rangs 14 à 16 inclusivement; township 64, rangs 11 à 13 inclusivement; township 63. rangs 8 à 10 inclusivement; township 62, rangs 5 à 7 inclusivement; township 61, rangs 1 à 4 inclusivement; tous à l'ouest du 3° méridien; et le township 60, rangs 25 à 27 inclusivement; township 59, rangs 22 à 24 inclusivement; township 58, rangs 20 et 21; township 57, rang 20; township 56, rangs 17 à 19 inclusivement; township 55, rangs 14 à 16 inclusivement; township 54, rangs 12 et 13; township 53, rang 12; township 52, rangs 7 à 11 inclusivement; township 51, rangs 3 à 6 inclusivement; township 50, rangs 1 et 2; tous à l'ouest du 2º méridien; et le township 50, rangs 30 et 31; à l'ouest du 1er méridien,
  - (ii) à l'ouest, par la frontière entre l'Alberta et la Saskatchewan,
  - (iii) au sud, par la frontière canado-américaine, et
  - (iv) à l'est, par la frontière entre la Saskatchewan et le Manitoba;
- b) dans la province du Manitoba et délimitées comme suit:
  - (i) au nord, par le township 50, rangs 26 à 29 inclusivement; township 47, rangs 17 à 25 inclusivement; township 30, rangs 8 à 16 inclusivement; township 14, rangs 1 à 7 inclusivement.
  - (ii) à l'est, par les townships 48 à 50 inclusivement, rang 26; townships 31 à 47 inclusivement, rang 17; townships 15 à 30 inclusivement, rang 8; townships 1 à 14 inclusivement, rang 1; tous à l'ouest du 1er méridien,
  - (iii) à l'ouest, par la frontière entre la Saskatchewan et le Manitoba, et
  - (iv) au sud, par la frontière canado-américaine.

## Article 11. Région du Sud-ouest de l'Ontario

La région du Sud-ouest de l'Ontario comprend les terres sises

- a) dans la province de l'Ontario et délimitées comme suit:
  - (i) au nord, par une ligne se dirigeant vers l'ouest à partir du point 44°25' nord, 76°25' ouest jusqu'au point 44°45' nord, 79°45' ouest sur la rive de la Baie Georgienne; de là, le long de la rive de cette baie,
  - (ii) à l'ouest par les rives du lac Huron et les points de ionction avec le lac Érié,

- (iii) on the south, by the shorelines of Lake Erie, Lake Ontario and the interconnecting waterways, and
- (iv) on the east, by a line proceeding in a southerly direction from 44°25′ north, 76°25′ west to the shoreline of Lake Ontario; and
- (b) in the province of Ontario known as Manitoulin Island.

#### SCHEDULE V

# CANADIAN EXPLORATION AND DEVELOPMENT OVERHEAD EXPENSE

- Item 1. A "Canadian exploration and development overhead expense" is an eligible exploration expense or eligible development expense incurred by a person (hereinafter in this schedule referred to as the "payor")
  - (a) that was in respect of the administration, management or financing of the "payor";
  - (b) that was in respect of the salary, wages or other remuneration or related benefits paid to a person employed by the payor whose duties were not all or substantially all directed towards Canadian exploration or development activities;
  - (c) that was in respect of the upkeep or maintenance of, taxes or insurance in respect of, or rental or leasing of, property other than property all or substantially all of the use of which by the payor was for the purposes of Canadian exploration or development activities; or
  - (d) that may reasonably be regarded as having been in respect of
    - (i) the use of or the right to use any property in which any person who was connected with the payor had an interest,
    - (ii) compensation for the performance of a service for the benefit of the payor by any person who was connected with the payor, or
    - (iii) the acquisition of any materials, parts or supplies from any person who was connected with the payor
  - to the extent that the expense exceeds the least of amounts, each of which was the aggregate of the costs incurred by a person who was connected with the payor
    - (iv) in respect of the property,
    - (v) in respect of the performance of the service, or
    - (vi) in respect of the materials, parts or supplies.

#### Item 2. For the purposes of this schedule,

- (a) the expression "capital allowance" of a person (in this paragraph referred to as the "owner") for his taxation year in respect of a property owned by him, means that proportion of an amount not exceeding 20 percent of the amount that is
  - (i) in the case of a property owned by the owner on December 31, 1980, the lesser of
    - (A) the capital cost of the property to the owner computed as is no amount had been included therein that is a cost of borrowing capital, including any cost incurred prior to the commencement of carrying on a business, and

- (iii) au sud, par les rives du lac Érié, du lac Ontario et de leur point de jonction, et
- (iv) à l'est, par une ligne se dirigeant vers le sud à partir du point 44°25′ nord, 76°25′ ouest jusqu'à la rive du lac Ontario; et
- b) dans la province d'Ontario et connues sous le nom d'île Manitoulin.

#### ANNEXE V

# FRAIS GÉNÉRAUX D'EXPLORATION ET D'AMÉNAGEMENT AU CANADA

- Article 1. «Frais généraux d'exploration et d'aménagement au Canada» engagés par une personne (appelée dans la présente annexe le «payeur») désigne les frais d'aménagement admissibles et frais d'exploration admissibles engagés
- a) relativement à l'administration, à la gestion ou au financement d'une entreprise du payeur;
- b) relative à la rémunération et aux avantages connexes versés à une personne employée par le payeur, dont les fonctions n'étaient pas uniquement ou presque uniquement reliées à des activités d'exploration et d'aménagement au Canada;
- c) relativement aux taxes, aux assurances, aux services d'entretien ou aux loyers payés pour des biens, autres que des biens utilisés par le payeur uniquement ou presque uniquement aux fins des activités d'exploration et d'aménagement au Canada;
- d) qui peuvent raisonnablement être considérés comme reliés
  - (i) à l'utilisation ou au droit d'utilisation d'un bien dans lequel une personne rattachée au payeur avait une participation,
  - (ii) à la rémunération d'un service exécuté pour le compte du payeur par une personne rattachée à lui, ou
  - (iii) à l'acquisition de matériaux, de pièces ou de fournitures d'une personne rattachée au payeur,
- dans la mesure ou ces frais dépassent le moins élevé des montants, dont chacun représente le total des frais engagés par une personne rattachée au payeur
  - (iv) à l'égard du bien,
  - (v) à l'égard du service exécuté, ou
- (vi) à l'égard des matériaux, des pièces ou des fournitures.

#### Article 2. Aux fins de la présente annexe,

- a) l'expression «déduction pour amortissement» d'une personne (appelée dans le présent alinéa le «propriétaire») pour son année d'imposition à l'égard d'un bien lui appartenant signifie la fraction d'un montant, jusqu'à concurrence de 20 pour cent, qui est égal
  - (i) dans le cas d'un bien possédé par le propriétaire le 31 décembre 1980, au moins élevé des montants suivants:
    - (A) le coût en capital du bien, pour le propriétaire, calculé comme si aucun montant n'y avait été ajouté, lequel montant représente un coût d'emprunt de capital incluant tout coût engagé avant le début de l'exploitation d'une entreprise, et

- (B) the fair market value of the property on December 31st, 1980.
- (ii) in the case of a property acquired by the owner after December 31st, 1980 that was previously owned by a person connected with the owner, the lesser of
  - (A) the capital cost of the property, computed as if no amount had been included therein that is a cost of borrowing capital, including any cost incurred prior to the commencement of carrying on a business, to the person, who was connected with the owner, who was the first person to acquire the property from a person with whom the owner was not connected, and
  - (B) the fair market value of the property at the time it was acquired by the owner, and
- (iii) in any other case, the capital cost of the property to the owner computed as if no amount had been included therein that is a cost of borrowing capital, including any cost incurred prior to the commencement of carrying on a business

that the number of days in the taxation year during which the property was owned by the owner is of 365;

- (b) the expressions "capital cost to the person", "cost of borrowing capital", "cost incurred prior to the commencement of carrying on a business", "depreciable property" and "taxation year" have the same meanings as those expressions have under the Income Tax Act and Income Tax Regulations for the purposes of subparagraph 1206(5)(b)(iii) and subsection 1206(6) of the Income Tax Regulations and as if, in the case of a partnership,
  - (i) the partnership were a taxpayer resident in Canada,
  - (ii) the taxation year of the partnership were its fiscal period, and
  - (iii) each partnership activity, including the ownership of property, were carried on by the partnership as a taxpayer separate from the partners of the partnership;
- (c) the expression "costs incurred by a person" does not include
  - (i) an expense incurred by that person for a purpose described in paragraph (a), (b) or (c) of item 1,
  - (ii) an expense incurred by that person to the extent that it is not reasonably attributable to the use or the right to the use of a property by, the performance of a service for, or any materials, parts, or supplies acquired by, the payor, and
  - (iii) an amount in respect of the capital cost to the person of a property owned by him, other than, where the property is a depreciable property of the person, that proportion of the capital allowance of the person for his taxation year in respect of the property that may reasonably be considered to be attributable to the use or the right to the use of the property by, or the use of the property in the performance of a service for, the payor;
- (d) the expression "eligible development expense" has the same meaning as in section 10 of these Regulations, if that section were read without reference to subsection (2) thereof:

- (B) la juste valeur marchande du bien au 31 décembre 1980.
- (ii) dans le cas d'un bien acquis par le propriétaire après le 31 décembre 1980, qui appartenait auparavant à une personne rattachée au propriétaire, au moins élevé des montants suivants:
  - (A) le coût en capital du bien, calculé comme si aucun montant n'y avait été ajouté, lequel montant représente un coût d'emprunt de capital incluant tout coût engagé avant le début de l'exploitation d'une entreprise, pour la personne rattachée au propriétaire, qui était la première personne à acquérir le bien d'une personne avec qui le propriétaire n'était pas rattachée, et
  - (B) la juste valeur marchande du bien à la date de son acquisition par le propriétaire, et
- (iii) dans tous les autres cas, au coût en capital du bien pour le propriétaire, calculé comme si aucun montant n'y avait été ajouté, lequel montant représente un coût d'emprunt de capital incluant tout coût engagé avant le début de l'exploitation d'une entreprise,

multiplié par le rapport entre le nombre de jours dans l'année d'imposition durant lesquels le bien appartenait au propriétaire est 365;

- b) les expressions «coût en capital», «coût d'emprunt de capital», «coût engagé avant le début d'une entreprise», «bien amortissable» et «année d'imposition» ont le sens que leur donne la Loi de l'impôt sur le revenu aux fins de l'alinéa 1206(5)b)(iii) et du paragraphe 1206(6) du Règlement de l'impôt sur le revenu interprété, dans le cas d'une société de personnes, comme si,
  - (i) la société de personnes était un contribuable résidant au Canada,
  - (ii) l'année d'imposition de la société de personnes était son exercice financier, et
  - (iii) chaque activité de la société de personnes, y compris la possession de biens à titre de propriétaire, était engagé par la société de personnes comme contribuable distinct des associés dans la société de personnes;
- c) «frais engagés par une personne» ne s'entend pas
  - (i) des frais engagés par la personne relativement à une fin décrite aux alinéas a), b) ou c) de l'article 1,
  - (ii) des frais engagés par la personne qui ne peuvent raisonnablement être attribués à l'utilisation ou au droit d'utilisation d'un bien par le payeur, à l'acquisition de matériaux, de pièces ou de fournitures par lui ou à l'exécution d'un service pour son compte,
  - (iii) du coût en capital d'un bien supporté par la personne, sauf, dans le cas d'un bien amortissable, la fraction de la déduction pour amortissement qu'elle a réclamée pour son année d'imposition à l'égard de ce bien, qui peut raisonnablement être attribué à l'utilisation ou au droit d'utilisation d'un bien par le payeur ou à l'utilisation d'un bien dans l'exécution d'un service pour son compte;
- d) «frais d'aménagement admissibles» a le sens que donne à cette expression l'article 10 du présent règlement, si cet article était interprété sans égard au paragraphe (2);

- (e) the expression "eligible exploration expense" has the same meaning as section 11 of these Regulations, if that section were read without reference to subsection (6) thereof;
- (f) the expression "equity percentage" has the same meaning as in paragraph 95(4)(b) of the *Income Tax Act*;
- (g) a person and another person that is not a corporation are connected with each other if they are not dealing at arm's length;
- (h) a person and a particular corporation are connected with each other if
  - (i) the person and the particular corporation are not dealing at arm's length,
  - (ii) the person has an equity percentage in the particular corporation that is not less than 10%, or
  - (iii) the person is a corporation in which another person has an equity percentage that is not less than 10% and that other person has an equity percentage in the particular corporation that is not less than 10%; and
- (i) a person acting as trustee in respect of a trust shall be deemed to carry on only those activities (including the ownership of property) that he carries on as trustee in respect of the trust.
- Item 3. For the purposes of items 4 and 5, "property" means
  - (a) a vessel, within the meaning of the Canada Shipping Act (including the furniture, fittings, radio communication equipment and other equipment attached thereto), designed principally for
    - (i) use in determining the existence, location, extent or quality of accumulations of petroleum or natural gas, or
    - (ii) drilling oil or gas wells;
  - (b) equipment and structures specifically designed
    - (i) for drilling oil or gas wells, and
    - (ii) to be transportable by aircraft; or
  - (c) a vessel, within the meaning of the Canada Shipping Act, used
    - (i) for the purpose of providing material support for operations carried out in marine areas, and
    - (ii) in conjunction with property described in paragraph (a) or (b).
- Item 4. Item 1 does not apply to an eligible exploration expense or an eligible development expense to the extent that
  - (a) it is incurred prior to 1983 or in respect of Canada lands; or
  - (b) it is
    - (i) an expense referred to in subparagraph (d)(i) of item 1 that
      - (A) is incurred in respect of the use, or the right to the use, of property, and
      - (B) does not exceed the fair market value of the use or the right to the use of the property,
    - or
    - (ii) an expense referred to in subparagraph (d)(ii) of item 1 that
      - (A) is incurred in respect of compensation for the performance of a service that requires a substantial use

- e) «frais d'exploration admissibles» a le sens que donne à cette expression l'article 11 du présent règlement, si cet article était interprété sans égard au paragraphe (6);
- f) «pourcentage d'intérêt» a le sens que lui prête l'alinéa 95(4)b) de la Loi de l'impôt sur le revenu;
- g) une personne et une autre personne qui n'est pas une société sont rattachées l'une à l'autre si elles ont entre elles un lien de dépendance;
- h) une personne et une société donnée sont rattachées l'une à l'autre si
  - (i) la personne et la société donnée ont entre elles un lien de dépendance,
  - (ii) la personne a un pourcentage d'intérêt d'au moins 10 pour cent dans la société donnée, ou
  - (iii) la personne est une société dans laquelle une autre personne a un pourcentage d'intérêt d'au moins 10 pour cent et l'autre personne a un pourcentage d'intérêt d'au moins 10 pour cent dans la société donnée; et
- i) une personne agissant à titre de fiduciaire relativement à une fiducie est réputée n'engager que les activités (y compris la possession de biens à titre de propriétaire) qu'elle engage à titre de fiduciaire relativement à la fiducie.

# Article 3. Aux fins des articles 4 et 5, «biens» désigne

- a) un vaisseau, au sens de la Loi sur la marine marchande du Canada, y compris les meubles, dispositifs, équipements de radiocommunications et autres équipements rattachés conçu pour
  - (i) être utilisé pour déterminer l'existence, la localisation, l'envergure ou la qualité d'accumulation de pétrole ou de gaz, ou
  - (ii) le forage d'un puits de pétrole ou de gaz;
- b) un équipement ou une structure conçu spécialement
  - (i) pour le forage d'un puits de pétrole ou de gaz, et
  - (ii) pour être transportable par aéronef; et
- c) un vaisseau, au sens de la Loi sur la marine marchande du Canada, utilisé
  - (i) pour fournir un support matériel à une opération entreprise en lieu marin, et
  - (ii) en conjonction avec un bien décrit aux alinéas a) ou
- Article 4. L'article 1 ne s'applique pas aux frais d'aménagement admissibles ou aux frais d'exploration admissibles dans la mesure où
  - a) ces frais sont engagés avant 1983 relativement aux terres du Canada; et
  - b) ces frais sont
    - (i) une dépense visée au sous-alinéa d)(i) de l'article 1 qui
      - (A) est engagée relativement à l'utilisation ou au droit d'utilisation d'un bien, et
      - (B) ne dépasse pas la juste valeur marchande de l'utilisation ou droit d'utilisation de ce bien,
    - ou
    - (ii) une dépense visée au sous-alinéa d)(ii) de l'article 1 aui
      - (A) est engagée relativement à la rémunération d'un service exécuté lequel requiert presque uniquement

of property by the person performing the service and substantially all the property so used is property owned by that person, and

- (B) does not exceed the fair market value of the service.
- Item 5. Where an eligible exploration expense or eligible development expense incurred after 1982 in respect of Canada lands is for a purpose
  - (a) referred to in subparagraph (d)(i) of item 1 and is incurred in respect of the use, or the right to the use, of property, or
  - (b) referred to in subparagraph (d)(ii) of item 1 and is incurred in respect of compensation for the performance of a service that requires a substantial use of property by the person performing the service and substantially all the property so used is property owned by that person,

the reference in paragraph (a) of item 2 to "20 percent" shall, for the purposes of this schedule, be read as a reference to "25 percent".

Items 4 and 5 do not apply where, in computing petroleum and gas production revenue for any taxation year under section 82 of the *Petroleum and Gas Revenue Tax Act* for the purposes of that Act, the person who incurred an eligible exploration expense or eligible development expense described in those items has deducted an amount in respect of Canadian exploration and development overhead expense, as defined in subsection 1206(1) of the *Income Tax Regulations*, in respect of the eligible exploration expense or eligible development expense that exceeds the amount that would, but for this item, be his Canadian exploration and development overhead expense in respect thereof for the purposes of these Regulations.

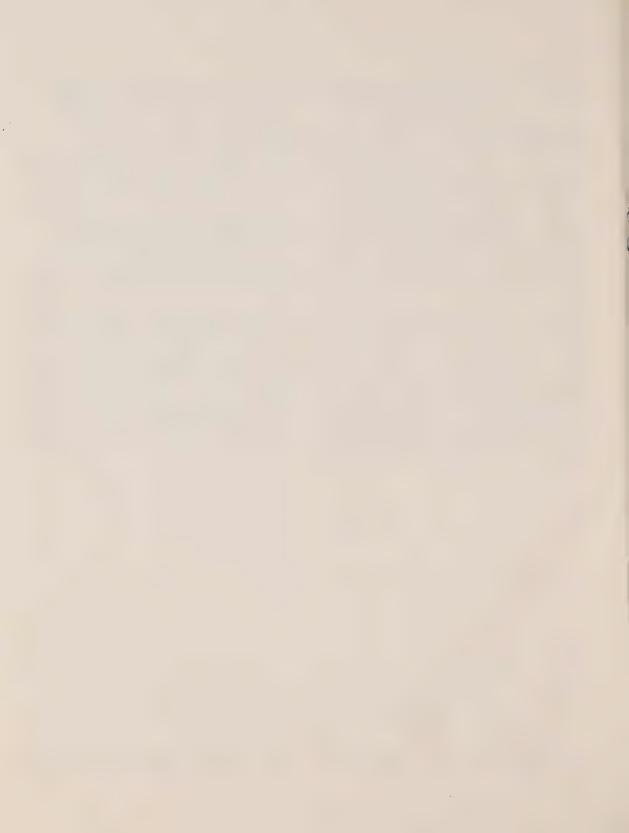
l'utilisation de biens par la personne exécutant le service et presque tous les biens ainsi utilisés sont des biens que possède cette personne, et

- (B) ne dépasse pas la juste valeur marchande du service.
- Article 5. Lorsque des frais d'aménagement admissibles ou frais d'exploration admissibles sont engagés après 1982 relativement aux terres du Canada
- a) pour une fin visée au sous-alinéa d)(i) de l'article 1 et sont engagés relativement à l'utilisation ou au droit d'utilisation d'un bien, ou
- b) pour une fin visée au sous-alinéa d)(ii) de l'article 1 et sont engagés relativement à la rémunération d'un service exécuté lequel requiert presque uniquement l'utilisation de biens par la personne exécutant le service et presque tous les biens ainsi utilisés sont des biens que possède cette personne le renvoi à l'alinéa a) de l'article 2 à «20 pour cent» doit

le renvoi à l'alinéa a) de l'article 2 à «20 pour cent» doit s'interpréter, aux fins de la présente annexe, comme un renvoi à «25 pour cent».

Article 6. Les articles 4 et 5 ne s'appliquent pas lorsque, dans le calcul du revenu de production provenant du pétrole ou du gaz conformément à l'article 82 de la Loi de l'impôt sur les revenus pétroliers, aux fins de cette Loi, la personne qui a engagé les frais d'aménagement admissibles ou frais d'exploration admissibles visés par ces articles a déduit un montant relativement aux frais généraux d'exploration et d'aménagement au Canada, au sens du paragraphe 1206(1) du Règlement de l'impôt sur le revenu, lié aux frais d'aménagement admissibles ou frais d'exploration admissibles, qui excède le montant qui serait, si ce n'était du présent alinéa, déterminé au titre des frais généraux d'exploration et d'aménagement au Canada relativement aux frais de cette personne aux fins du présent règlement.







# NOTICE

On March 9, 1982, the Honourable Marc Lalonde, Minister of Energy, Mines & Resources announced the conditional startup of the Petroleum Incentives Program effective April 19, 1982. At that time, draft forms and regulations, subject to change pending approval of the Act by Parliament, were made available to all potential applicants to be used when submitting conditional applications.

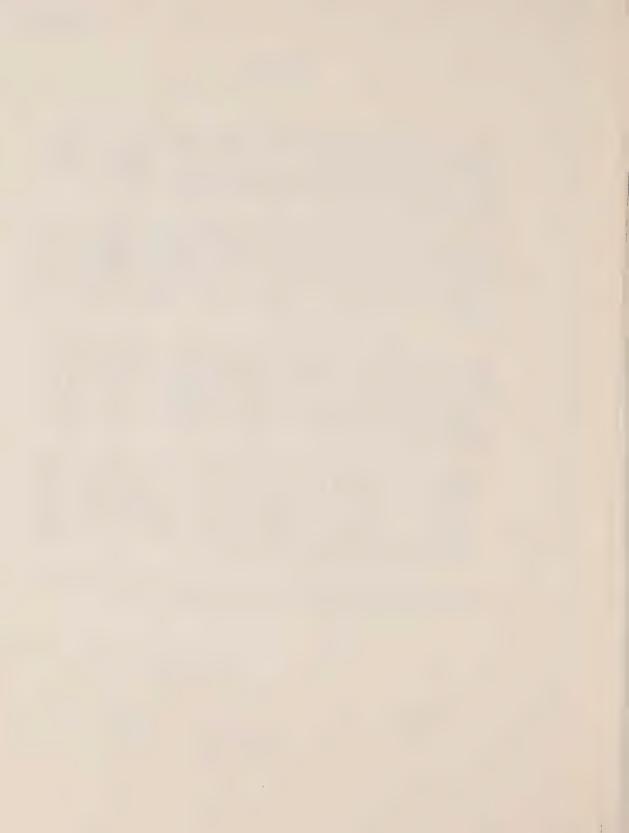
The Petroleum Incentives Program Act received Royal Assent on June 30, 1982 and the respective Regulations were also approved by Order-in-Council on the same date. The documents contained in this information package represent the final version of the Petroleum Incentives Program Act, Regulations, Application Forms and Guide. These documents supercede all previous drafts circulated for use and you are advised to dispose of any copies of the draft material circulated in April, 1982.

The Regulations included in this package, embody a number of policy changes from the "Proposed Outline for Regulations Respecting the Petroleum Incentives Program" published on April 19, 1982. A background document listing these policy changes is included in this information kit. Applicants who are in the process of making their application using previously circulated draft forms, may complete their application on these forms, but should make themselves aware of the changes in the final Regulations.

It should also be noted that the Petroleum Incentives Program is now part of a new organization, the Petroleum Incentives Administration (PIA) established within the Department of Energy, Mines & Resources on June 7, 1982 created to facilitate the processing of COR/CS and PIP applications. The Administration is responsible for administering the Canadian Ownership/Control Status (COR/CS) Program and the Petroleum Incentives Program (PIP). Mr. C.G. (Gerry) Penney, C.A., has been appointed to the position of Administrator of the PIA.

Further information can be obtained by contacting the Petroleum Incentives Program in Ottawa at (613) 996-2611 or in Calgary at (403) 231-5005.

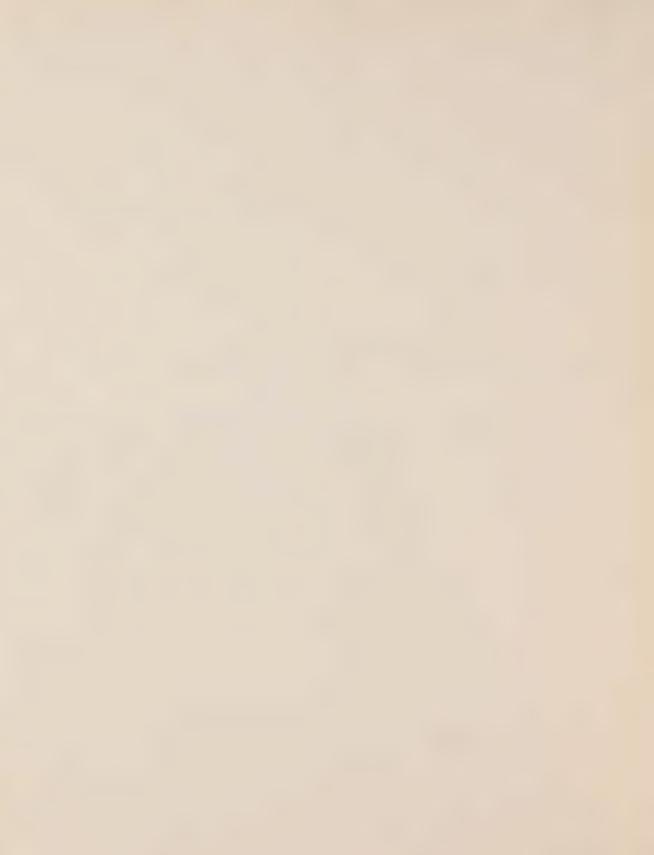




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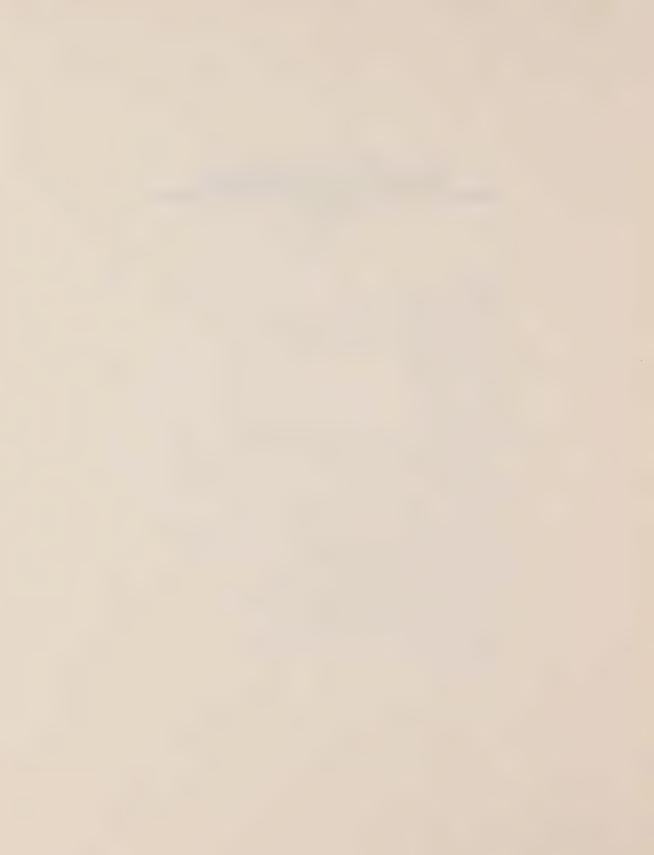
# HIGHLIGHTS OF POLICY CHANGES SINCE THE ISSUE OF ''PROPOSED OUTLINE FOR REGULATIONS RESPECTING THE PETROLEUM INCENTIVES PROGRAM'' IN APRIL 1982



# POLICY CHANGES SINCE THE ISSUE OF "PROPOSED OUTLINE FOR REGULATIONS RESPECTING THE PETROLEUM INCENTIVES PROGRAM" IN APRIL 1982

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## 1. INTRODUCTION

Regulations under the Petroleum Incentives Program Act, which received royal assent on June 30, 1982, were passed by Order in Council dated June 30. The Regulations embody a number of significant policy changes from the "Proposed Outline for Regulations respecting the Petroleum Incentives Program" published on April 19, 1982. These changes are highlighted below. The Regulations also reflect a number of minor changes made in order to clarify their intent or ensure consistency, but these are not listed below.

# 2. APPLICATIONS FOR INCENTIVES

Rules governing applications for incentives have been considerably relaxed. In particular,

- (a) where an applicant has made application in respect of some but not all of the eligible costs or expenses incurred during a fiscal period or quarter, he may, at any time within two years after the end of the fiscal period, make a separate, supplementary application in respect of the eligible costs or expenses omitted in his initial application (subsection 14(4)):
- (b) applicants incurring expenses pursuant to an operating agreement will not generally be required to submit copies of that agreement with their application.

# 3. ADJUSTMENT TO AMOUNT OF INCENTIVES

An adjustment is made in circumstances where, in respect of eligible costs or expenses in connection with which an application has been made, an incentive has been paid which is either greater or less than that to which the applicant is entitled. In the case of an underpayment, such an adjustment may be made within four years after the end of the fiscal period during which the eligible cost or expense giving rise to the original incentive payment was incurred (subsection 16(3)).

# 4. EXEMPTION FROM ADJUSTMENT FOR ELIGIBLE COSTS OR EXPENSES OF \$500,000 OR LESS (THRESHOLD RULE)

Where an applicant who has applied for an incentive on the assumption that his eligible costs and expenses for a particular fiscal period would not exceed \$500,000 receives an incentive and subsequently goes over the \$500,000 threshold, he is obliged to file a statement of adjustment giving effect to the rules in Part II of the Regulations. In such a case, the applicant must repay with interest any excess of the incentive received over the incentive determined in accordance with the statement of adjustment (subsection 32(9)).

#### 5. SHARING OF INCENTIVES

Incentives received may not be paid or appropriated for the benefit principally of any person other than the applicant. This rule will not affect situations where a trustee distributes incentives to the beneficiaries, a partnership distributes incentives to the partners or where the person receiving the incentive was under no legal obligation at the time of application to pay or appropriate the incentive (subsection 18(3)).

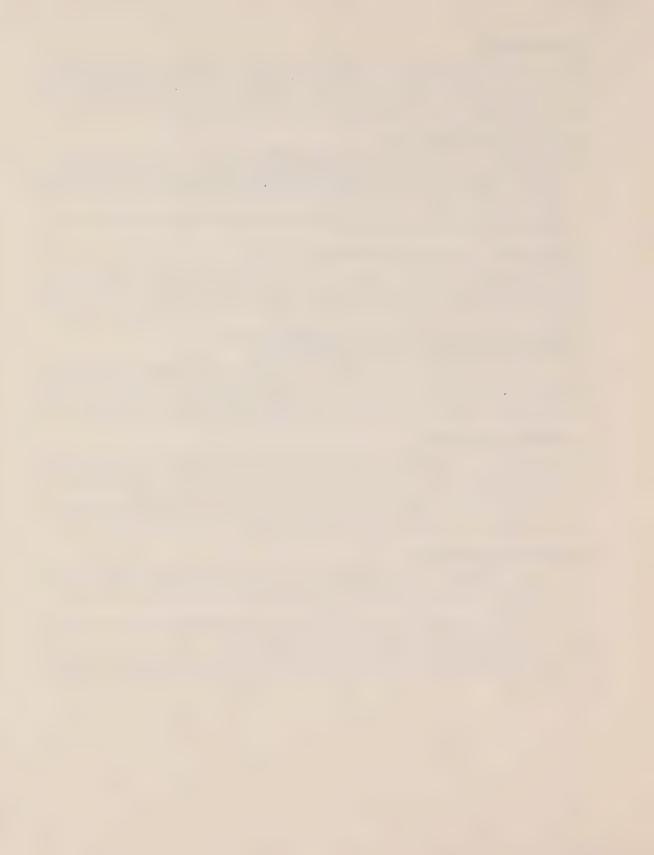
Where an incentive is paid to a flow through share corporation, the corporation must distribute the incentive without undue delay to the investors who incurred the eligible expenses under the flow through agreement (subsection 18(4)).

# 6. DRILLING CONTRIBUTIONS

For drilling contributions in lands other than Canada Lands, a working interest in lands contiguous to the land where the well is being drilled is now considered to be a prescribed interest necessary for the payment of incentives (paragraph 8(1)(d)). No prescribed interest is required for a drilling contribution on Canada Lands (paragraph 8(2)(b)).

In order for an expense to qualify for treatment as a drilling contribution, there is now a requirement that the agreement pursuant to which the expense is incurred be entered into prior to the completion of drilling of the well in connection with which the contribution is made (subsection 2(1)).

The limit on eligible expenses for a drilling contribution on lands other than Canada Lands is now defined as the fair market value of the right to receive the information to be acquired in return for the contribution (subsection 45(a)).



# 7. APPROVED HOLDER

A new term, "approved holder", is now used to define certain entities that are Canadian controlled and have, in various circumstances, a required Canadian ownership rate. Several rules in Part II of the Regulations dealing with the adjustment of eligible expenses to prevent the transfer of PIP incentives to non-Canadian entities will not apply in respect of situations involving "approved holders".

For Canada Lands an approved holder is an entity which is Canadian controlled and has a COR (Canadian ownership rate) in the same range or higher than the applicant. For lands other than Canada Lands, an approved holder is Canadian controlled and has a COR of 50% or more. An approved holder may not be a tax exempt entity (subsection 21(1)).

# 8. WORKING INTERESTS

The definition of when a person is deemed to have a working interest in respect of an earning expense has been modified. Firstly, acquisition of the oil and gas rights to be earned must not be contingent on incurring expenses in relation to another well. Secondly, at the time the expenses are incurred, no cause must have arisen which, under the earning agreement, would prevent the rights from being earned. Thirdly, it must be reasonable to expect, having regard to all the circumstances, that the rights will be earned. Fourthly, for Canada Lands, the agreement under which the rights will be earned must be approved by the Minister under section 52 of the Canada Oil and Gas Act (subsection 2(3)).

If a person is legally obligated to incur expenses in relation to abandonment of a well, the person shall be deemed to have a working interest even if the working interest will not be earned due to the abandonment (subparagraph 2(3)(c)(ii)), and such expense will be treated as an earning expense (subsection 2(1)).

The time at which expenses are incurred (rather than the time of application for an incentive) is now the time when rights held by third parties in respect of all or part of a working interest must be examined for working interest percentage determination (subsection 23(6)). The exceptions to when a right will not be deemed to be exercised have been modified to include situations where the exercising of the right is outside the control of any person other than the owner of the working interest, and where the right is held by an approved holder in relation to the owner of the working interest (subsection 23(7)).

However, where a right to acquire all or part of a working interest is created under the agreement pursuant to which the owner earns the working interest, the owner's working interest will be reduced accordingly unless the right is exercisable at a price equivalent to fair market value at the time it is exercised (subsections 23(8) and (9)).

# 9. OPERATING INTERESTS

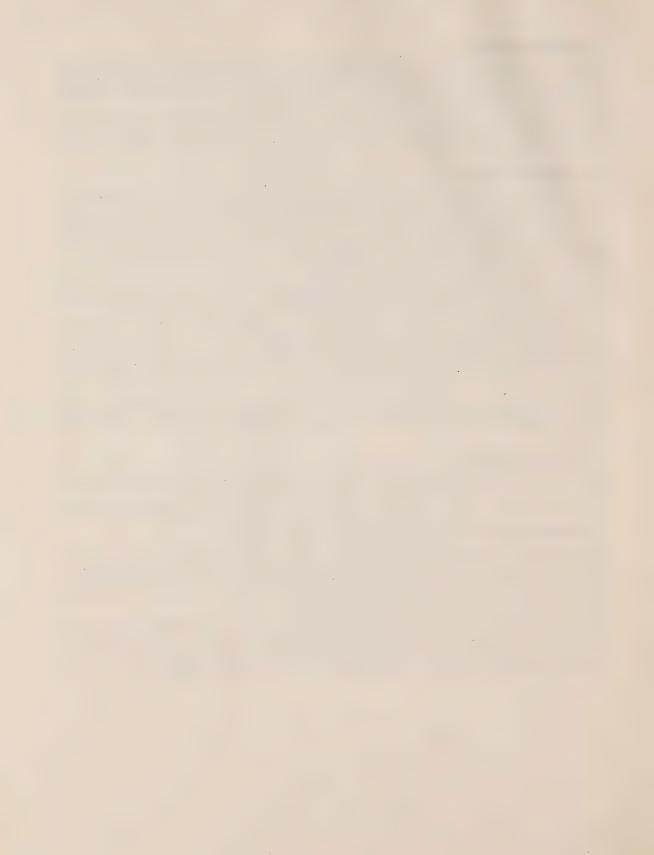
The changes described above for working interests for the most part also apply to operating interests (subsection 26(1) for timing and 26(2) for when a right is deemed not to be exercised).

An operating interest is now defined to be an undivided interest in all the assets of a project but does not include an interest held primarily to produce revenue that is rent, royalty or leasing revenue (subsection 2(1)).

# 10. BITUMINOUS SANDS, OIL SANDS AND OIL SHALE DEPOSITS

Expenses in relation to exploration and development of bituminous sands, oil sands and oil shale deposits are eligible for incentives. In respect of expenses described in subparagraph 66.1(6)(a)(iii.1) of the Income Tax Act, a prescribed interest is an undivided interest in the deposit (paragraph 8(1)(f)). No prescribed interest is required for expenses incurred in relation to these deposits that are expenses described in subparagraph 66.1(6)(a)(iii) of the Income Tax Act (paragraphs 8(2)(a) and 32(1)(c)).

The eligible exploration expenses described in subparagraph 66.1(6)(a)(iii.1) of the Income Tax Act in respect of bituminous sands, oil sands and oil shale deposits may be adjusted in accordance with a new section 47 of the Regulations. The adjustment formula is a 1:1 formula; the percentage of expenses incurred must be less than or equal to the lesser of (a) the undivided interest in the deposit and (b) the share of production or proceeds of disposition of production. If this criterion is not met the expenses are adjusted to zero.



# 11. WASTE DISPOSAL WELLS, WATER OR GAS INJECTION WELLS OR WATER OR GAS WELLS FOR INJECTION

Expenses incurred in respect of these wells, as described in clause 66.2(5)(a)(i)(A), (C) or (D) of the Income Tax Act, are eligible development expenses and are deemed to be incurred in respect of the oil or gas well in connection with which they may reasonably be regarded as having been incurred (paragraph 2(6)(c)). Expenses for waste disposal wells are not eligible development expenses if they were incurred principally to produce income from service charges or fees (subsection 10(3)).

For the purpose of calculating expense percentages (the applicant's percentage of total expenses in the case concerned) these expenses are excluded from the definition of eligible development expense and therefore are excluded from both the numerator and denominator of the expense percentage calculation (paragraph 21(7)(d)).

# 12. CANADIAN CONTROL PROVISIONS

Eligible costs or expenses may be exempt from adjustment under Part II of the Regulations where the lands or project to which they relate satisfy certain tests relating to Canadian content. Canadian content will be considered to be established in respect of lands or of a project where all working interest holders or operating interest holders are "approved holders" in relation to the applicant, provided no reduction factors apply to the applicant's working interest.

The exemption from adjustment under Part II of the Regulations will be granted in one of two situations:

- a) In the first situation an exemption is granted where Canadian content is established at the time an eligible cost or expense is incurred. In such a case, Canadian content must be established in respect of the net working interest land area determined for the expense. In addition, such net working interest land area must equal or exceed the minimum land block for the geographic area in question. In the case of a tertiary recovery project, the net working interest land area must include all lands comprised in the project (subsections 32(2) and (3)).
- b) The second situation arises where expenses are incurred pursuant to an agreement in writing. In such cases, Canadian content must be established in respect of all lands subject to the agreement as at the later of January 1, 1981 and the date of the agreement. Again, such area of lands must equal or exceed the minimum land block for the geographic area in question. An exemptionwill then be made for all eligible costs or expenses incurred pursuant to the agreement unless, at the time the eligible cost or expense is actually incurred, no exemption would be granted in the first situation by reason of events which have occurred subsequent to the agreement which were within the control of the applicant (subsections 32(4) and (5)).

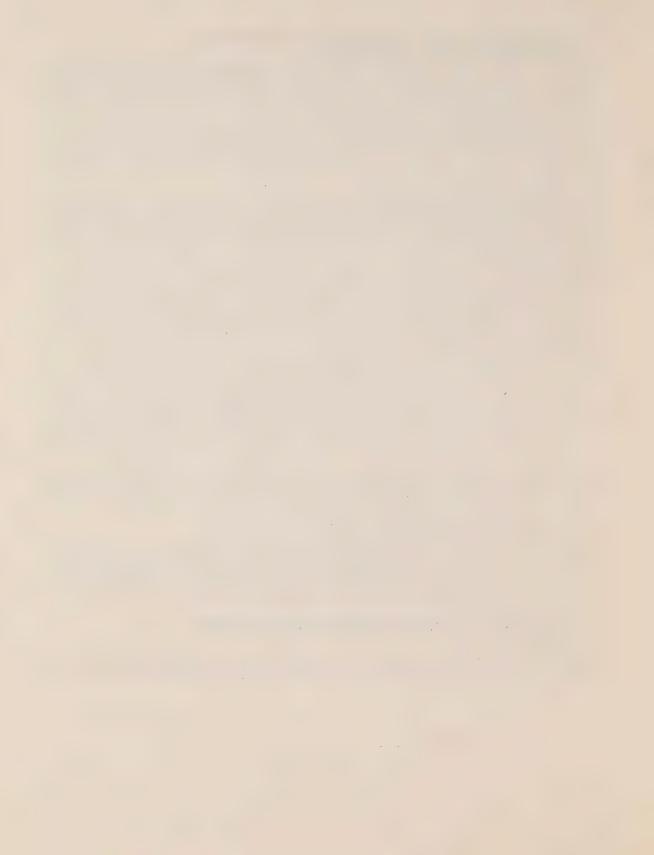
Special provisions relating to Canadian content in respect of eligible expenses incurred pursuant to a unit agreement have been removed from the Regulations. Such expenses may be exempted from adjustment under the second test outlined above, in which case the relevant land area for purposes of the Canadian content test is the unit (the land subject to the unit agreement).

# 13. PERSONS WHO HAVE CEASED TO EXIST

Where an individual dies, the legal personal representative of the individual may apply for an incentive. Where corporations amalgamate, the successor corporation may apply for the incentive to which a predecessor would have been entitled. Where a person other than an individual or an amalgamating corporation ceases to exist before the Act comes into force, an application for incentive may be made on or before December 31, 1982 by a person who, in the opinion of the Minister, should receive the incentive in lieu of the person who has ceased to exist (subsection 20).

# 14. ADJUSTMENT OF EARNING EXPENSE IN CANADA LANDS AND PROVINCIAL LANDS

Where an applicant incurs earning expenses in a well in lands where the applicant already owns oil and gas rights, the earning expenses are adjusted as if the applicant is in a straight up situation and owned the oil and gas rights (subsections 37(4) and 40(3)).



# 15. CLASSES OF ELIGIBLE EXPENSES AND EXPENSE PERCENTAGE CALCULATION

The classes of eligible expense for which a separate expense percentage must be calculated have now been defined (subsection 21(1)). The classes of eligible expense (other than penalty expenses) relate to whether the expenses are for exploration or development and whether they are incurred in a straight up situation (acquired expense) or in an earning situation (earning expense). Generally, an applicant will have only one class of expense in relation to a single well (for example, if farming in on an exploratory well the only class would be earning exploration expense). There are cases however when an applicant may be required to calculate more than one expense percentage for a single well, for example, if a farmee acquires the interest upon reaching a certain depth in a well and drilling continues, or if exploration and development expenses are incurred in respect of the same well.

Adjustments to eligible expenses are made on the basis of the expense percentage calculated for the class that includes the eligible expense. Generally, to calculate an expense percentage the applicant adds up all his expenses of a certain class and divides this total by the total exploration or development expenses incurred by all persons in relation to the well during the relevant period (section 22).

Certain expenses which are not eligible expenses are included in the definition of eligible expenses for the calculation of expense percentages. These include expenses incurred prior to January 1, 1981, certain acquisition expenditures, expenses that will receive reimbursement through an incentive scheme, drilling contributions, non-arm's length charges above fair market value, CEDOE (Canadian Exploration and Development Overhead Expense) and expenses that are unreasonable (subsection 21(7)).

If an applicant files an application before all the expenses relevant to an expense percentage calculation have been incurred, and is therefore unable to calculate an expense percentage, an expense percentage may be determined on the basis of a reasonable estimate of the applicant's share of the relevant expenses (subsection 21(10)). In such cases incentives paid may be subject to adjustment at the time the expense percentage is finally determined (subsection 16(5)).

# 16. ELIGIBLE ASSET COSTS AND COST PERCENTAGE

All costs of new oil and gas well equipment (other than pipelines) used in a tertiary recovery project, and of all equipment converted for such use will qualify as eligible asset costs if the project has been certified by the Minister. Where such is not the case, no cost will qualify as an eligible asset cost unless specifically approved in writing by the Minister. Costs of pipelines relating to a tertiary recovery project will qualify as eligible asset costs only where approved in writing by the Minister (section 9).

There are no classes of costs for calculating a cost percentage. However, a separate cost percentage must be calculated for each project.

A cost percentage is calculated as the total eligible costs incurred by the applicant divided by the total eligible costs incurred by all persons in the project. As in the calculation of expense percentage, there are costs which are not eligible costs which are included in the definition of eligible costs for purposes of calculating the cost percentage (subsection 21(6)).

# 17. FIXING OF COR (CANADIAN OWNERSHIP RATE) OR CANADIAN CONTROL STATUS BY THE MINISTER

An applicant who wishes to have the Minister fix his COR or make a Control Status determination must apply to the Minister before December 31, 1982 to have such determination made. The applicant must certify in his application to the Minister that one of the following two situations applies:

- (a) that he has received, pursuant to the Canadian Ownership and Control Determination Act, an acknowledgement of receipt of his application for a certificate but has not yet received a certificate (sub paragraph 4(2)(b)(i)).
  or
- (b) that he is in the course of applying for a certificate and will do so at the earliest opportunity (sub paragraph 4(2)(b)(ii)).

Incentives made on the basis of such determinations will be subject to adjustment on the basis of the COR fixed or Canadian Control Status determined under the Canadian Ownership and Control Determination Act in respect of the relevant period.



# 18. PENALTY WORKING INTEREST, PENALTY EXPENSE AND PENALTY EXPENSE PERCENTAGE (FOR CANADA LANDS)

The definition of a penalty working interest is the working interest acquired in the penalty land area from the non-participating party. The applicant's penalty net working interest percentage is now calculated in respect of the penalty land area rather than the non-participating party's net working interest land area (subsection 21(1)).

There are now two classes of penalty expense, penalty exploration expense and penalty development expense. A separate penalty expense percentage must be calculated for each class. As with eligible expenses, generally only one class will be incurred in respect of a single well (section 22).

The calculation of the penalty expense percentage is the penalty expenses of the class incurred by the applicant divided by the total eligible expenses (exploration or development) incurred by all persons for the operations to which the penalty expenses pertain (see definitions, subsection 21(1)).

# 19. ACQUISITION AND MAINTENANCE EXPENDITURES

Maintenance expenditures are now defined separately in the regulations as expenditures made for the maintenance or preservation of oil and gas rights (subsection 21(1)). Such expenditures may result in adjustment where they relate to a period prior to the date on which the applicant acquired oil or gas rights or entered into an agreement pursuant to which such rights are or will be acquired (subsection 34(b)).

The calculation of reimbursable eligible expenses has been clarified to exclude any incentives which the farmor received or may receive for expenses incurred prior to the farm-out agreement (subsection 35(3)).

For the purpose of calculating reimbursable eligible expenses, certain expenses which are not eligible are included in the calculation. These include pre-January 1, 1981 expenses and certain other expenses normally excluded under section 12 of the Regulations (subsection 35(4)).

# 20. CANADIAN EXPLORATION AND DEVELOPMENT OVERHEAD EXPENSE (CEDOE)

The CEDOE limitation on eligible costs or expenses incurred in leasing property or contracting services from a "connected person" has been modified in respect of certain expenses incurred on Canada Lands prior to 1983. In the case of the lease of offshore drilling vessels and support equipment, and of certain other specified equipment, or of contracts for services principally provided and utilizing such vessels or equipment, the amounts paid will only be considered CEDOE to the extent that they exceed the fair market value of use or right to the use of the property, or of the service, as the case may be. This exception will not, however, apply, if amounts in excess of CEDOE so calculated are deducted by the applicant in computing petroleum and gas production revenue for purposes of the Petroleum and Gas Revenue Tax Act. In the case of similar leasing arrangements or service arrangements after 1982, in computing "costs incurred by a person" connected with the applicant for purposes of determining CEDOE, a 25% capital allowance will be permitted in lieu of the general 20% capital allowance. This additional allowance will be subject to the same restriction in respect of the Petroleum and Gas Revenue Tax Act (subsection 2(1); Schedule V, Items 3-6).



# 21. UNIT AGREEMENTS

All references to eligible asset costs incurred pursuant to a unit agreement have been removed from the Regulations. The Petroleum Incentives Administration should be consulted in any situation where a tertiary recovery project is to be carried out subject to a unit agreement.

For purposes of adjusting eligible expenses incurred pursuant to a unit agreement, a tract expense percentage has been defined. The tract expense percentage is the applicant's share of the eligible expenses allocated to a unit tract under the unit agreement, divided by the total eligible expenses allocated to the unit tract under that agreement (subsection 21(1)). A tract expense percentage must be calculated for each unit tract.

The adjustment formula has been considerably simplified. Two new definitions — production tract factor and expense tract factor — are introduced. A production tract factor is the share of production allocated to the unit tract under the unit agreement; the expense tract factor is the share of expenses allocated to the unit tract under the unit agreement (subsection 21(1)). The expense tract factor must be less than or equal to the production tract factor or eligible expenses are adjusted to zero. If this first condition is met, then expenses will only be adjusted where the tract expense percentage is less than the applicant's net working interest percentage in the unit tract, on the basis of the following formula:

 $A = E \times \frac{NWIP}{TEP}$ 

A = Adjusted Expenses

E = Eligible Expenses

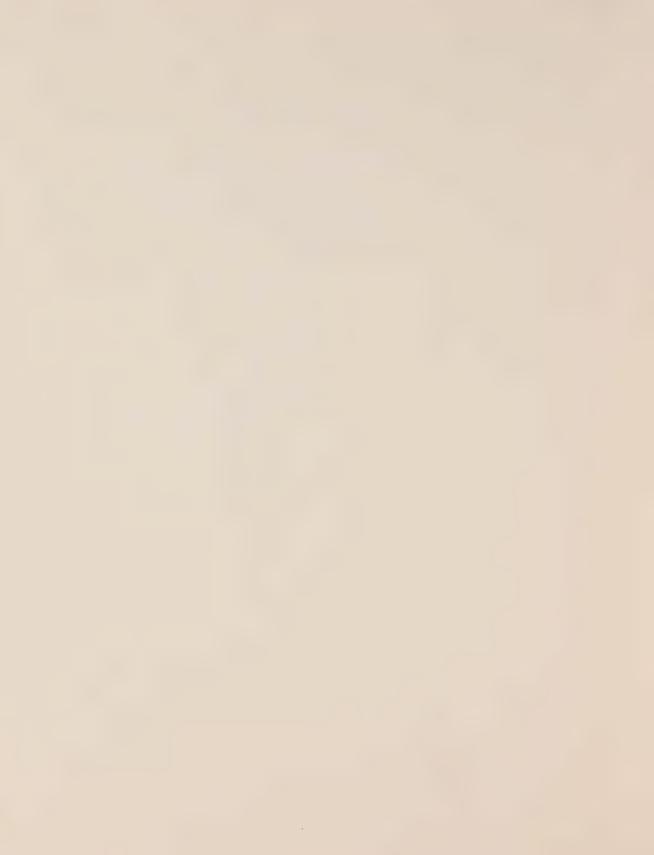
NWIP = Net Working Interest Percentage

TEP = Tract Expense Percentage

(section 43).

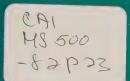














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Petroleum Incentives Administration

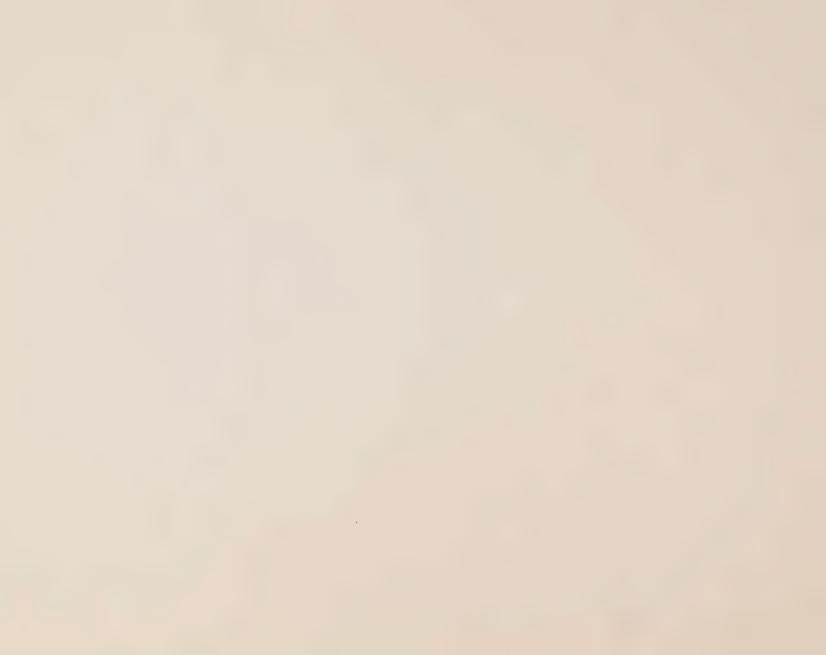
# Applicant's Guide

PETROLEUM INCENTIVES PROGRAM

July 1982



Canadä<sup>\*</sup>





# Applicant's Guide

### PETROLEUM INCENTIVES PROGRAM

July, 1982

Published under the authority of the Minister of Energy, Mines and Resources Canada

Copies are available on request from:

Communications Branch Department of Energy, Mines and Resources 580 Booth Street Ottawa, Ontario K1A 0E4

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Part II

PIP Concepts and Criteria

Eligibility Incentive Rates Adjustments

Part III

Special Circumstances

Ministerial Approval Advance Rulings

Appendices

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This Guide provides instructions for completing Petroleum Incentives Program (PIP) application forms and schedules, and is intended to help an applicant avoid errors and complete the forms accurately. It also explains in simple and general terms the concepts and criteria governing the PIP program. For the legal authority, however, applicants must consult the Petroleum Incentives Program Act and Regulations.

Three broad concepts form the basis of the PIP program: ELIGIBILITY, INCENTIVES and ADJUSTMENTS.

### Eligibility

- Individuals, corporations, partnerships and trusts are qualified to receive PIP incentive payments.
- Certain non-taxable entities under subsection 149(1) of the Income Tax Act are not qualified to receive PIP incentive payments, other than the Crown Share Incentive.

#### Incentives

- The PIP program provides a basic 25% Crown Share Incentive to all applicants, regardless of their Canadian Ownership Rate (COR) or Control Status (CS), who incur eligible exploration expenses on Canada lands. Canada lands are defined as the Yukon, Northwest Territories, Sable Island and offshore areas.
- The PIP program also provides additional incentives and the rate of these incentives depends upon 5 factors:

Canadian Ownership Rate (COR), Control Status (CS), type of expenditure (exploration expense, development expense or asset cost), location of expenditure (Canada lands or provincial lands outside Alberta), and year the expenditure is incurred.

#### Adjustments

- Rules have been developed to adjust eligible costs and expenses when certain requirements relating to Canadian ownership and control are not met. The adjustment rules are designed to discourage the "leakage" of PIP benefits from high(er) COR, Canadian-controlled persons to low(er) COR, non-Canadian-controlled persons.
- Adjustment rules do not apply under the following conditions:

Safehavening: when all persons involved in an agreement satisfy certain levels of Canadian ownership and are Canadian-controlled;

Grandfathering: when the written agreement, under which eligible costs or expenses are incurred, is entered into on or before October 28, 1980; or,

Threshold: when an applicant's eligible costs and expenses in a fiscal period do not exceed \$500,000. outside the Province of Alberta.

These concepts and others central to the PIP program are discussed in Part II of this guide.

Similar to the Income Tax process, the PIP program is based on the principle of self-assessment, and applicants are required to complete the prescribed forms themselves. However, if applicants require

assistance, ministerial discretion or advance rulings they may contact the PIP office at the following addresses:

Petroleum Incentives Program Department of Energy, Mines and Resources P.O. Box 4516, Station E Ottawa Ontario K1S 5B5 (613) 996-2611 Telex: 05-33971 Telecopy: (613) 996-0684

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Mines and Resources
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Telex: 03-821226
Telecopy: (403) 231-5011

Completed applications including Petroleum Gas Revenue Tax waivers should be sent to:

Petroleum Incentives Program Department of Energy, Mines and Resources P.O. Box 4515, Station E Ottawa, Ontario K1S 5B5

### Introduction

### Alberta PIP

The Government of Canada and the Province of Alberta have agreed that the provincial government will administer and finance its own PIP program. While the two programs are similar, all enquiries relating to Alberta should be referred to:

Alberta Petroleum Incentives Program Communications 855 8th Avenue S.W. Calgary, Alberta T2P 3P1 (403) 261-4298

This section describes general step-by-step instructions for completing the forms of the PIP program. An applicant will not be required to complete the entire application package and will not proceed sequentially through the forms.

#### PREPARATION

Before beginning to fill out the incentive forms, an applicant should have:

- a copy of the PIP Act and Regulations;
- copies of all agreements, and lists of costs and expenses;
- a Canadian Ownership Rate (COR) and a Control Status (CS) certificate (if applying for other than the Crown Share Incentive);
- copies of any pertinent Ministerial approvals and advance rulings; and
- land plats where required. (See PIP-01 number 9, page 11)

### COR, CS and Entity Number

The Canadian Ownership Rate (COR) and the Control Status (CS) certificate must be obtained from the COR/CS program. The COR/CS program will also issue an entity number at the same time.

The certificate may be obtained from:

COR/CS P.O. Box 4514, Station E Ottawa, Ontario K1S 5B5 (613) 996-4444 Telex: 05-33117 Telecopy: 996-6424

For applicants not requiring a COR and CS certificate, the PIP program will obtain an entity number from the COR/CS program when an incentives application is filed.

As well, an applicant should be aware that:

- Two signature cards must be submitted.
- For PIP purposes, when an eligible cost or expense is incurred for the acquisition of property, the eligible cost or expense is deemed to have been incurred when the property is acquired. When an eligible cost or expense is incurred for a service, the eligible cost or expense is deemed to have been incurred at the time the service is rendered. When an eligible cost or expense is incurred for the leasing of property, the eligible cost or expense is deemed to have been incurred when the property is used or when the right exists to use that property. These rules do not apply to: the acquisition of oil and gas rights; the acquisition of shares in the capital stock of a corporation; or, an interest in, or right to, such shares pursuant to an agreement referred to in subparagraph 66.1(6)(a)(v) or 66.2(5)(a)(v) of the Income Tax Act.
- Any corporation applying for incentives is required to reconcile its Canadian Exploration
   Expenses, Canadian Development Expenses and
   Capital Costs of Eligible Assets with its Eligible
   Exploration Expenses, Eligible Development
   Expenses and Eligible Asset Costs. This reconciliation is to be made within one year after the
   end of the fiscal period in which the eligible costs
   and expenses were incurred.
- PIP incentives cannot be appropriated in any manner to, or for the benefit of, any person other than the applicant. This general rule does not apply where a distribution of incentives is made from: a partnership to its partners; a trustee to a trust; a flow through share corporation to its investors who are entitled to the incentive; or, an applicant to any other person if, at the time of application, the applicant was under no legal obligation to make the distribution.

- When applying for an incentive other than the Crown Share Incentive, an applicant must indicate his COR/CS certificate number (PIP-01, Part B) unless his COR/CS has been fixed and determined by the Minister.
- Any applicant may waive PIP incentives, or a portion thereof, to be applied against his Petroleum and Gas Revenue Tax Account with Revenue Canada Taxation.
- When filling out the forms, the applicant must: convert acres to hectares (1 hectare = 2.471507 acres), round off eligible expenses, eligible asset costs and incentive entitlement to the nearest dollar; and calculate net working interest percentages, working interests, reduction factors, expense percentages and all computations relating to adjustments to a minimum of six decimal points. In cases where an applicant has not calculated computations relating to adjustments to six decimal points, program officials will undertake the calculations during the assessment process.

#### TIMING OF APPLICATIONS

#### Transitional Application Phase

Applicants may apply under the Transitional Application Phase where eligible costs or expenses have been incurred in a fiscal period which ends prior to the day on which the PIP Act comes into force.

A separate application must be made either:

- in respect of eligible costs or expenses incurred during each fiscal period of an applicant ending prior to the day on which the PIP Act comes into force; or
- in respect of eligible costs or expenses incurred during each fiscal quarter of an applicant ending prior to the day on which the PIP Act comes into force.

Applications submitted under the transitional application phase must be submitted within one year following the day on which the PIP Act comes into force.

#### Normal Application Phase

A separate application must be made either:

- in respect of eligible costs or expenses incurred during each fiscal period of an applicant within one year following the end of that fiscal period; or
- in respect of eligible costs or expenses incurred during each fiscal quarter of an applicant within six months following the end of that fiscal quarter.

Applicants may not, however, submit applications on a quarterly basis with respect to any fiscal period unless they have applied on a quarterly basis for the first quarter of that fiscal period.

### Supplemental Application Phase

An applicant who has applied for an incentive in respect of some, but not all, eligible costs or expenses incurred in a fiscal period or quarter may make a supplemental application relating to the costs or expenses omitted.

When completing a supplemental application, an applicant must ensure that the timeframe is matched with the previous application that is being supplemented.

An application which is supplemental to a transitional phase application must be made within two years following the day on which the PIP Act comes into force.

An application which is supplemental to a normal phase application must be made within two years after the end of the fiscal period during which the eligible costs or expenses were incurred.

#### **Extension of Time Limitations**

Where a time limitation would produce an inequitable result, an applicant may apply to the Minister for an extension of that time limit.

### BREAKDOWN OF ELIGIBLE COSTS AND EXPENSES

The PIP program treats certain categories of eligible costs and expenses differently. For this reason, an applicant must categorize all eligible costs and expenses into the following:

#### Eligible Exploration or Development Expenses

Canadian Exploration or Canadian Development Expenses as defined under paragraphs 66.1(6)(a) and 66.2(5)(a) respectively of the Income Tax Act and subject to sections 10, 11 and 12 of the PIP Regulations.

### Eligible Exploration or Development Expenses: Drilling Contributions

Expenses which are Canadian Exploration or Development Expenses under paragraphs 66.1(6)(a) and 66.2(5)(a) of the Income Tax Act, subject to sections 10, 11 and 12 of the PIP Regulations, paid to another party as a drilling contribution.

### Eligible Exploration Expenses: Geophysical, Geological and Geochemical

Geophysical, geological or geochemical expenses which are not incidental to a well and qualify as Canadian Exploration Expenses under paragraph 66.1(6)(a) of the Income Tax Act subject to sections 11 and 12 of the PIP Regulations.

### Eligible Exploration or Development Expenses: Unit Agreement

Expenses incurred pursuant to a unit agreement qualifying as Canadian Exploration or Development Expenses under paragraphs 66.1(6)(a) and 66.2(5)(a) of the Income Tax Act subject to sections 10, 11 and 12 of the PIP Regulations.

### Part I PIP Forms

#### Eligible Asset Costs

Costs incurred that are capital costs of new certified tertiary recovery equipment used in approved tertiary recovery projects subject to sections 9 and 12 of the PIP Regulations.

#### Eligible Asset Costs: Unit Agreement

Costs incurred pursuant to a unit agreement that are capital costs of new certified tertiary recovery equipment subject to sections 9 and 12 of the PIP Regulations.

### Eligible Exploration Expenses: Syndicated Test Well

Expenses incurred in the drilling of a syndicated test well qualifying as Canadian Exploration Expenses under paragraph 66.1(6)(a) of the Income Tax Act subject to sections 11 and 12 of the PIP regulations.

### Eligible Exploration and Development Expenses: Penalty Situation

Expenses incurred in a penalty situation which qualify as Canadian Exploration or Development Expenses under paragraphs 66.1(6)(a) and 66.2(5)(a) of the Income Tax Act subject to sections 10, 11 and 12 of the PIP Regulations.

### Eligible Exploration Expenses: Bituminous Sands, Oil Sands or Oil Shale Deposits

Canadian exploration expenses as defined under subparagraph 66.1(6)(a)(iii) of the Income Tax Act subject to sections 11 and 12 of the PIP Regulations.

#### **PROCEDURES**

Applicants incurring eligible costs or expenses in more than one of the categories are not required to fill out duplicate forms. For example, if an applicant incurred exploration expenses relating to three wells, all of which were grandfathered, he would be required to complete three PIP-02s, one PIP-01(1) and one PIP-01.

### Eligible Exploration or Development Expenses

Applicants who incur eligible exploration or development expenses must complete the following PIP forms:

- When eligible exploration or development expenses are not subject to adjustment by virtue of the safehavening (Canadian content) provisions of the PIP Regulations:
- PIP-02 Eligible Exploration or Eligible Development Expenses
- PIP-13 Disclosure of Canadian Content Participants: Exploration and/or Development
- PIP-01(1) Calculation of Exploration Incentive, or
- PIP-01(2) Calculation of Development Incentive
- PIP-01 Application for Petroleum Incentives
- When eligible exploration or development expenses are not subject to adjustment by virtue of the grandfathering provisions of the PIP Regulations:

- PIP-02 Eligible Exploration or Eligible Development Expenses
- PIP-01(1) Calculation of Exploration Incentive, or
- PIP-01(2) Calculation of Development Incentive
- PIP-01 Application for Petroleum Incentives
- When eligible exploration or development expenses are not subject to adjustment by virtue of the threshold provisions of the PIP Regulations:
- PIP-03 Eligible Exploration or Eligible Development Expenses (Short Form)
- PIP-01(1) Calculation of Exploration Incentive, or
- PIP-01(2) Calculation of Development Incentive
- PIP-01 Application for Petroleum Incentives
- When eligible exploration or development expenses are subject to adjustment:
- PIP-02 Eligible Exploration or Eligible Development Expenses
- PIP-14(1) Net Working Interest Percentage Calculation
- PIP-15 Adjustment to Eligible Exploration or Eligible Development Expenses
- PIP-01(1) Calculation of Exploration Incentive, or
- PIP-01(2) Calculation of Development Incentive
- PIP-01 Application for Petroleum Incentives

### Eligible Exploration or Development Expenses: Drilling Contributions

Applicants who incur eligible exploration or development expenses relating to a drilling contribution must complete:

PIP-07 Eligible Expenses in Respect of a Drilling Contribution

PIP-01 Application for Petroleum Incentives

### Eligible Exploration Expenses: Geophysical, Geological and Geochemical

Applicants who incur eligible exploration expenses relating to geophysical, geological and geochemical expenses not incidental to a well must complete:

PIP-04 Calculation of Exploration Incentives Relating to Geophysical, Geological and /or Geochemical Programs

PIP-12 Notice of First Eligible Purchaser: Geophysical, Geological and/or Geochemical Programs (Provincial Lands)

PIP-01 Application for Petroleum Incentives

### Eligible Exploration or Development Expenses: Unit Agreement

Applicants who incur eligible exploration or development expenses pursuant to a unit agreement must complete the following PIP forms:

PIP-05 Eligible Expenses in Respect of Unit

PIP-13 Disclosure of Canadian Content Participants: Exploration and/or Development (Safehaven Situation Only)

PIP-01(1) Calculation of Exploration Incentive, or

PIP-01(2) Calculation of Development Incentive

PIP-01 Application for Petroleum Incentives

#### **Eligible Asset Costs**

Applicants who incur eligible asset costs must complete the following PIP forms:

PIP-06 Eligible Asset Costs

PIP-13 Disclosure of Canadian Content Participants: Asset Costs (Safehaven Situation Only)

PIP-14(1) Net Working Interest Percentage Calculation (Subject to Adjustment)

PIP-01(3) Calculation of Asset Cost Incentive

PIP-01 Application for Petroleum Incentives

### Eligible Exploration Expenses: Syndicated Test Well

Applicants who incur eligible exploration expenses relating to a syndicated test well must complete:

PIP-02 Eligible Exploration or Eligible Development Expense

PIP-03 Eligible Exploration or Eligible Development Expenses (Short Form) (Threshold Rule Applies)

PIP-13 Disclosure of Canadian Content Participants: Exploration and/or Development (Safehaven Situation Only)

PIP-15 Adjustment to Eligible Exploration or Eligible Development Expenses (Subject to Adjustment) PIP-01(1) Calculation of Exploration Incentive, or

PIP-01(2) Calculation of Development Incentive

PIP-01 Application for Petroleum Incentives

### Eligible Exploration or Development Expenses: Penalty Situation

Applicants who incur eligible exploration or development expenses in a penalty situation must complete:

PIP-02 Eligible Exploration or Eligible Development Expense

PIP-03 Eligible Exploration or Eligible Development Expenses (Short Form) (Threshold Rule Applies)

PIP-13 Disclosure of Canadian Content Participants: Exploration and/or Development (Safehaven Situation Only)

PIP-15 Adjustment to Eligible Exploration or Eligible Development Expenses (Subject to Adjustment)

PIP-01(1) Calculation of Exploration Incentive, or

PIP-01(2) Calculation of Development Incentive

PIP-01 Application for Petroleum Incentives

### Eligible Exploration Expenses: Bituminous Sands, Oil Sands, Oil Shale Deposit

Applicants should contact the PIP office when these expenses occur.

### **Summary: Application Procedures**

	Eligible Exp Developmen			Bituminous Sands, Oil Sands, Oil Shale Deposit Expenses
Not Subject to Adjustment: Safehavening Provisions	Not Subject to Adjustment: Grandfathering Provisions	Not Subject to Adjustment: Threshold Provisions	Subject to Adjustment	
PIP-02	PIP-02	PIP-03	PIP-02	Contact PIP Offices
PIP-13	PIP-01(1), or PIP-01(2)	PIP-01(1), or PIP-02(2)	PIP-14(1)	3
PIP-01(1), or PIP-01(2)	PIP-01	PIP-01	PIP-15	
PIP-01			PIP-01(1), or PIP-01(2)	
			PIP-01	

Drilling Contributions	Geophysical, Geological and Geochemical Expenses	Unit Agreements	Eligible Asset Costs	Syndicated Test Well	Penalty Situation
PIP-07 PIP-01	PIP-04 PIP-12 (Provincial lands only) PIP-01	PIP-05 PIP-13 (Safehavening) PIP-01(1), or PIP-01(2) PIP-01	PIP-06 PIP-13 (Safehavening) PIP-14(1) (Adjustment) PIP-01(3) PIP-01	PIP-02 PIP-03 PIP-13 (Safehavening) PIP-15 (Adjustment) PIP-01(1), or PIP-01(2) PIP-01	PIP-02 PIP-03 (Threshold) PIP-13 (Safehavening) PIP-15 (Adjustment) PIP-01(1), or PIP-01(2) PIP-01

### Use of Other PIP Forms

PIP-08

Statement of Reconciliation

Corporations must reconcile their Eligible Exploration Expenses, Eligible Development Expenses and Eligible Asset Costs with their Canadian Exploration Expenses, Canadian Development Expenses and Capital Costs of Eligible Assets.

#### PIP-09 Statement of Adjustment

The statement of adjustment is to be completed where the applicant has received an overpayment or underpayment of incentives.

#### PIP-10 Forecast of Eligible Expenditures

The forecast of eligible expenditures is to be completed annually where eligible costs and expenses in a fiscal period are reasonably expected to exceed \$500,000. No forecasts are necessary for any fiscal period beginning prior to the date on which the PIP Act comes into force.

#### PIP-11 Waiver in Respect of an Amount of an Incentive

This form must be completed by applicants when incentives are being waived against the Petroleum and Gas Revenue Tax.

#### PIP-14(2)

Determination of Net Working Interest Percentage Required for Equipping and Post-Equipping Expenditures Percentage Adjustment

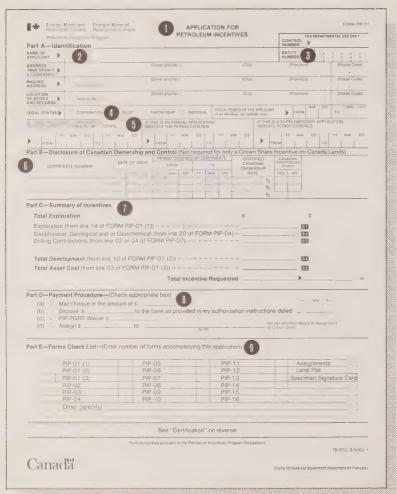
This form must be completed to provide a net working interest percentage for the purpose of applying the equipping and post-equipping expenditure adjustments. It must be completed where an applicant has agreed to pay a percentage of either equipping or post-equipping expenditures. If, however, the net working interest percentage to be used in the application of the equipping and post-equipping expenditure adjustments is the same as the net working interest percentage used in the application of the other adjustments completion of this form is not necessary.

#### PIP-16

Election in Respect of Approved Expenditure Grants Under Part II of the Oil and Gas Incentive Regulation, 1978, of the Province of Saskatchewan

This form must be completed by applicants who are, or may be, entitled to receive an expenditure grant under Part II of the Oil and Gas Incentive Regulation, 1978, of the Province of Saskatchewan in respect of an eligible cost or expense.

### PIP-01 Application for Petroleum Incentives





- Application for Petroleum Incentives: This form must be completed by all applicants and summarizes all incentives that are being claimed in the application.
- 2 Applicant's Name: Enter name of the corporation, partnership, trustee or individual claiming the PIP incentive.
- **3** Entity Number: Use the number assigned by the COR/CS program. If an applicant is only applying for the Crown Share Incentive a number will be assigned by PIP. If an applicant has applied to COR/CS and has not received a number, leave entity number blank and PIP will inform the applicant of the number. This entity number should be used on all applications and correspondence to PIP and COR/CS.
- Legal Status: Indicate whether an individual, corporation, partnership or a trust. (See Qualified Person, page 42)
- **3** Application Timing: Indicate if applying on a fiscal quarter or fiscal period basis. If the application is a supplementary application indicate period covered. (See Timing of Application, page 5)
- b Disclosure of Canadian Ownership and Control: Do not complete if applying only for the Crown Share Incentive on Canada lands. In order to qualify for PIP incentives other than the Crown Share Incentive, apply to the COR/CS program for a Canadian Ownership Rate (COR) and a Control Status (CS) certificate. The certificate will indicate the COR and CS status to be used in calculating incentives. Special rules exist for a transitional period. (See Transitional Rule, page46)
- Summary of Incentives: All incentives are summarized in this section.
- 8 Payment Procedure: Select any of the following options: payment directly by mail; waiver of payment, or a portion thereof, to be applied against the Petroleum and Gas Revenue Tax Account with Revenue Canada Taxation; assignment of payment to another entity; or payment deposited to the Ottawa branch of your bank.

If payment is assigned to another entity a notice of assignment of Crown debt (Form SSC 557) and a notarized copy of the assignment agreement are required. Copies of SSC 557 are available from PIP offices. Completed SSC 557 forms should be sent to:

Ottawa Centre DSO Supply and Services Canada Jackson Building 122 Bank Street Ottawa, Ontario K1A 0S5 Attention: Lise Gosselin

If payment is deposited in an Ottawa bank branch, the following is required:

- a letter requesting bank deposits and providing the effective dates;
- an acknowledgement that the applicant will pay bank transfer costs; and
- an attachment for bank deposit or wire transfer in the following format:

Name of Bank

Address of Bank

To the Account of:

XYZ Company

Account number

Signature

- **9** Forms Check List: Check to indicate forms and other documentation used in this application. Note that a land plat is required for all wells, units or projects that are subject to adjustment.
- **10** Certification: The application must be certified. If the applicant is an individual, that individual must complete the certification. If the applicant is a corporation, partnership or trust, the authorized signing officer of the organization must complete the certification. All applicants authorized to sign PIP applications must complete two specimen signature cards and must send them to PIP prior to, or included with, a first application. In the case of a corporation, the corporate seal should be affixed to the signature cards. In all cases, the signature cards must be witnessed by a Commissioner of Oaths.

It should be noted that the applicant is certifying compliance with the PIP Act and Regulations. Failure to comply with the Act and Regulations or the provision of false information can result in severe penalties.

## PIP-01 (1) and (2) Calculation of Exploration/Development Incentives

The and control causaling on sheets — FORM PIP-01 (2)  B—Lands Other Than  B—CALCULATION OF EXPLORATION INCENTIVE  Summarce eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for Tomor Name by multiplying the sub total of the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate amount payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate and payable for each well or want or multiplying the eligible expenses from all FORMS PIP-02 PIP-03 or PIP-05 and calculate and payable for each well or want or multiplying the eligible expe	FORM OF 0112
CALCULATION OF EXPLORATION INCENTIVE  FORM PIPO 111  FORM PIPO 111	- WALL
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- Calculation of Exploration and Development Incentive: The PIP-01(1) and 01(2) enable an applicant to calculate the PIP incentive payable for each of the wells and/or units for which eligible expenses have been incurred. The PIP-01(1) deals with wells/units on which eligible exploration expenses have been incurred while the PIP-01(2) deals with wells/units on which eligible development expenses have been incurred.
- Timing: Enter the fiscal quarter(s) or fiscal period for which incentives are being claimed.
- 3 Unique Well Identifier or Unit Identifier: List all wells for which incentives are being claimed and for which a separate PIP-02 or PIP-03 has been completed. In the case of eligible expenses being claimed under a unit agreement, list the name of each unit for which an incentive is being claimed and for which a separate PIP-05 has been completed.
- Prior Approval and/or Advance Ruling: Indicate whether the Minister has granted a prior approval or has given an advance ruling on any of the wells or units listed.
- **5** Crown Share: The 25% Crown Share Incentive is available to all applicants incurring eligible exploration expenses on Canada lands.
- 6 Other than Crown Share: Incentives other than the 25% Crown Share Incentive are claimed here. (See Appendix 3 for incentive rates)
- TEligible Expenses (After Adjustment): Enter the eligible expenses for each well or unit, after adjustment. Note that where an applicant has incurred eligible exploration expenses on Canada lands he must also enter eligible expenses which are not subject to adjustment in this column, for the purposes of applying for other than the Crown Share Incentive.
- B Incentive Rate: Refer to Appendix 3. The PIP incentive rate is based on the COR and CS of the applicant, the type of expense incurred, the location of the expense and the year in which the expense was incurred.

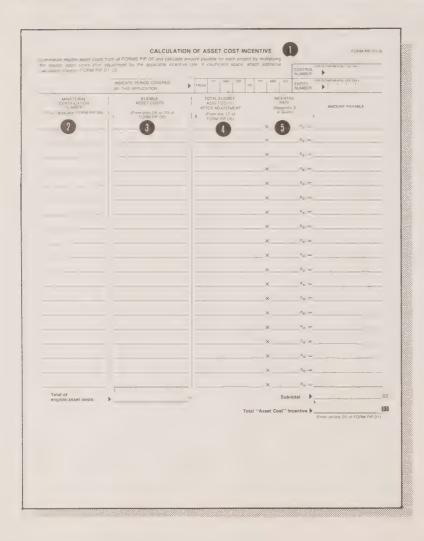
When applying for an incentive, other than the Crown Share Incentive, the applicant must net out the 25% Crown Share Incentive from the gross incentive rate.

**Example:** Canadian-controlled applicant has a COR of 63% (level 3) and has incurred eligible exploration expenses on Canada lands in 1981. Incentive Rate for other than the Crown Share Incentive: 65% - 25% = 40%.

**9** Internal Overhead: Internal overhead is a term specific to the Petroleum Incentives Program.

Internal overhead is an eligible expense, other than an eligible geological, geophysical or geochemical expense, which is incurred directly by the applicant and which cannot be reasonably allocated to a well, bituminous sands deposit, oil sands deposit or oil shale deposit.

While allocation of internal overhead is not required on a well by well basis, it must be allocated on a reasonable basis to exploration expenses or development expenses as well as Canada lands or provincial lands.



- 1 Calculation of Asset Cost Incentive: The PIP-01(3) enables an applicant to calculate the PIP incentive payable for each tertiary recovery project in which eligible asset costs have been incurred.
- Ministerial Certification Number: Enter the certification number given by the Minister to the tertiary recovery project and equipment.
- **3** Eligible Asset Costs: Eligible asset costs which are not subject to adjustment are entered in this column.
- **Eligible Asset Costs After Adjustment:** Eligible asset costs which have been adjusted are entered in this column.
- **1 Incentive Rate:** Refer to Appendix 3. Note that the incentive rates for Canada and provincial lands are identical.

## PIP-02 and PIP-03 Eligible Exploration or Eligible Development Expenses

Mes and Entrop Mess et	ELIGIBLE EXPLORATION OR ELIGIBLE DEVELOPMENT EXPENSES (SHORT FORM)	FORM F
	ELIGIBLE EXPLORATION OR ELIGIBLE DEVELOPMENT EXPENSES 1	FORM PIP 02 PIP-01 (1) and (2)
If the well is a Syndicated Test Well a written Ministe No approval is required for a Crown Share Incentive art A-1—Identification		A PAG SPL MENSMER
EXPLORATION SPUDDATE WYY MM DD U	OUE WELL CANADA LANDS 5	ARTIMENTAL USE ONLY
	COCATION LANDS OTHER THAN CANADA LANDS WORKIN INTERES  the well is situated on Canada lands, has the Agreement rec	G b o
NET WORKING INT	"Yes" "No REST LAND AREA TO WHICH EXPENSES RELATE	
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Development Overhead Expenses (Attach Do 15 Earning or Acquired Expenses	completed in all cases) — Exclude Canadian Exploration ar ared Cost Summary as outlined in the Applicant's Guide)	na <b>17</b>
· · · · · · · · · · · · · · · · · · ·	Applicant's Percentage Applicant's of Expenses Expenses \$	
- Intangible drilling expenses	X% =01 X% =02 X % =03	
- Other (specify)  Total	X% =04	0.5
16 Penalty Expenses		
- Intangible driking expenses  - Abandonment expenses  - Intangible completion expenses	X % = 06 X % = 07 X % = 08	
Other (specify)Total	X 90 = 09 5  Total Total Eligible Expenses (Total lines 05 and 10)	10
The above expenses include charge to include NO in NES include details on a six provide det		7 AM
Form prescribed p	suant to the Petroleum Incentives Program Regulations	
Canada .		TB REG B 5062 1

(1) Comple	xpenses Not Subject to Adjustments lete this part if applying for exception to adjustments und applicable box,	der a Canadian	Content provisio	n	
18	Exception under the general Canadian Content provisi enter amount on line 12 below)	sion (Complete	and attach FORI	A PIP-13 and	
	Exception under the Canadian Content for the duration	n of an agreem	ent provision (Re	efer to questions	s below)
	Has the applicant previously applied for exception to a duration of the agreement provision? $ ( \ \ \forall  \text{ES} \ \ f ) $ If $ \forall  \text{ES} \ \ do$ the expenses in this application relate to that	NO at agreement?	[1 YES . N		•
	If vss indicate the period to which FORM PIP-13 app If No complete all parts of FORM PIP-13 — Explorati		elopment		
	Eligible Expenses incurr the Canadian Content pr			12	
	lete this part if applying for exception to adjustments under 28, 1980	der a written ag		into on or befor	re
ATE AGREEME VERED INTO YES INDICAT ATE OF AMEND	BY AGREEMENT TO AMEND THE TOTAL THE	T(S) [K nsuficents	28 1980?	AFTER OCTOBER	TYES 'NO
_			(From line 11 or	reverse)	[03]
	Eligible Expenses incurred under a written agre				
Ne II the applic.	Eligible Expenses incurred under a written agreentered into on or before October 28, 1980 —  Total Expenses Not Subject to Aduationals. (between the according to the Aduationals).	djustments (Te			FORM PIP 15
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- Deligible Exploration or Eligible Development Expenses: A separate PIP-02 must be completed for each well for which the applicant is claiming expenses. If the applicant has incurred more than one class of expense for any one well, a separate PIP-02 must be completed for each class unless one of the classes involves eligible penalty expenses and the other involves eligible exploration or development expenses.
- 2 Type of Well: Indicate whether the well is exploratory or development under paragraphs 66.1(6)(a) or 66.2(5)(a) respectively of the Income Tax Act.
- 3 Unique Well Identifier: Enter the number assigned to the well by the federal or provincial authority which authorized the drilling of the well.
- 4 Period During Which Expenses Were Incurred: This refers to period of time during which the work to which the expenses relate was conducted. This period must be the same as, or fall within, the period identified on the PIP-01.
- 5 Well Location: Canada lands include the Yukon and Northwest Territories, Sable Island and the offshore areas. Lands other than Canada lands include the provinces, other than Alberta. (See Appendix 4)
- b Working Interest: Provide the undivided interest earned or to be earned in the land area to which the well expenses relate. (See Determination of Working Interest Percentage, page 49) This figure must always be expressed as a percentage of the total working interests (i.e., 100%) in the particular land area. In cases where an applicant must drill more than one well within a net working interest land area (NWILA) before a working interest (WI) is earned, PIP incentives will not be paid on any well within that NWILA until the WI has been earned.
- Type of Mineral Disposition: Enter the type of mineral as covered by the permit or lease: oil, gas, bituminous sands oil sands or oil shales.
- **8** Permit/Lease Number: Enter the permit or lease number issued by the federal or provincial authority.

- Q Location of Land Area: Enter the name of the area that includes the NWILA according to the land descriptions within Schedule IV of the PIP Regulations. (See Appendix 4)
- 1 Area: Enter the area of the NWILA in hectares.
- 11 Status of Well: Indicate the status of the well at the time expenses were incurred.
- 12 Rig Release Date: If the rig has been released provide the date.
- 13 Cost of Well: Indicate the total expected cost of the well.
- 14 Substitute well: Complete this section if a substitute well.

A substitute well is a well drilled within reasonable proximity to a well abandoned due to geological, mechanical or other similar cause. It must be commenced within a reasonable time after the abandonment.

15 Breakdown of Earning or Acquired Expenses: Eligible expenses relating to the well listed above should be broken down into the categories provided. Ensure that all expenses claimed are eligible under PIP. Where the applicant is not the operator, an Operator's Statement should be enclosed with the application to verify the expenses claimed. If unable to acquire an Operator's Statement, provide a cost breakdown of eligible expenses in accordance with the categories provided in Appendix 6. The Operator's Statement should be forwarded to PIP when it is available. Where the applicant is the operator, a cost breakdown of eligible expenses in accordance with the categories provided in Appendix 6 must be included.

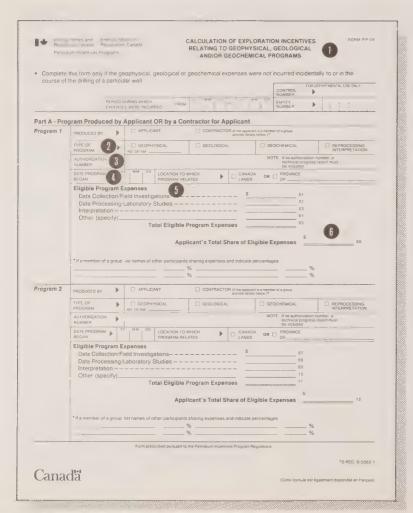
If any of the eligible expenses represent a charge by a person who is non-arm's length, provide the name of the person(s), as well as the type and extent of the charges.

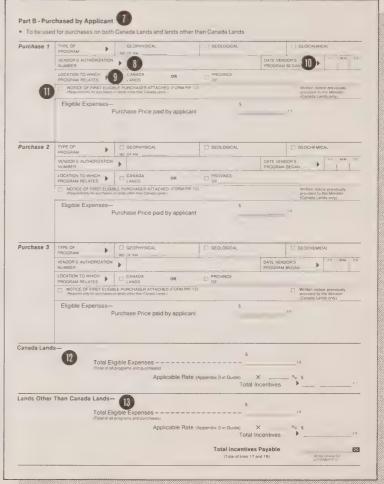
Note that PIP will allow cost accruals, provided they are reasonable.

**(b)** Breakdown of Eligible Penalty Expenses: Eligible penalty expenses relating to the well should be categorized as shown.

- Canadian Exploration and Development Overhead Expenses (CEDOE): CEDOE expenses are not eligible for PIP purposes. (See CEDOE, page 45)
- 18 Expenses Not Subject to Adjustment: Part C should be completed if eligible expenses are safehavened or grandfathered. (See Grandfathering and Safehavening, pages 47 and 48)
- 19 Equipping and Post-Equipping Expenditures: Applicants who have agreed to incur equipping and/or post-equipping expenditures indicate appropriate percentages. Adjustment of eligible expenses may be necessary as a result of an applicant's equipping and/or post-equipping expenditure percentages. (See Equipping/Post-Equipping Expenditures, page 51)
- **20** Earning Expenses: Enter eligible expenses incurred to earn ownership of oil or gas rights including abandonment expenses, but excluding penalty expenses.
- (2) Acquired Expenses: Enter eligible expenses incurred where the applicant holds a working interest with respect to oil or gas rights.
- 22 Penalty Expenses: Enter eligible expenses incurred by a person that would have been incurred by another person if that person was not a non-participating party.
- 33 Syndicated Test Well: Enter eligible expenses incurred in the drilling of a syndicated test well. (See Adjustment: Syndicated Test Well, page 52)
- Threshold: Applicants, and non-arm's length persons, who reasonably expect to incur eligible costs and expenses not exceeding \$500,000 during the fiscal period for which the application is made, should complete a PIP-03 and not a PIP-02. If any person with which the applicant was not dealing at arm's length has incurred eligible costs and/or expenses during the applicant's fiscal period, provide the name of the person(s) as well as the type(s) and extent of the costs and/or expenses. (See Threshold, page 47)

### PIP-04 Calculation of Exploration Incentives Relating to Geophysical, Geological and/or Geochemical Programs





\$400,000

- 1 Calculation of Exploration Incentives Relating to Geophysical, Geological and/or Geochemical Programs: A PIP-04 must be completed when applicants are claiming geophysical, geological and/or geochemical expenses which are not incidental to the drilling of a well.
- 2 Type of Program: Indicate whether the program is geophysical, geological or geochemical. In the case of a geophysical program indicate the number of kilometres to which the claim pertains.
- Authorization Number: This number is issued by the Canada Oil and Gas Lands Administration (COGLA) for programs on Canada lands, or the provincial authority for programs on provincial lands.

If no authorization number is available, a technical progress report must be attached providing the following:

- · geophysical programs: text and structure, isochron, facies, distribution maps and cross sections;
- · geological or geochemical programs: text, interpretive maps and core sections, stratigraphic and structure sections, sample descriptions, corerock or fluid analysis.
- Date program began: This is the date that collection of data commenced. Do not include the set-up period.
- 5 Eligible Program Expenses: Geophysical, geological and geochemical expenses are not eligible expenses if they: pertain to a program conducted without necessary government approval; or pertain to a geophysical program involving the re-processing, re-analysis or re-interpretation of basic information and may reasonably be considered to have been incurred as consideration for the acquisition of the basic information.

Eligible expenses should be categorized as:

- · data collection/field investigation: collection of data as a result of geophysical, geological and geochemical work;
- · data processing/laboratory studies: the processing of data, i.e. laboratory testing, computer analysis, map construction;

- · interpretation: interpreting processed data to determine trends, prospects, etc.; and
- · other: includes any extraordinary or unforeseen costs (i.e. extremely high mobilization costs).
- 6 Applicant's Share of Expenses: If part of a group, state share of total expenses. Otherwise this figure will be the same as total program expenses.
- Purchased by Applicant: To be eligible for incentives on
  - · The basic information must be new. For a geophysical program, this means conducting a field program to collect new basic information. For a geochemical or a geological program, this means either conducting fieldwork or analyzing existing samples from the program area to produce new basic information.
  - The data must result from a program conducted by the
  - The vendor's program must have commenced on or after January 1, 1981.
  - · The data must not have been available from a governmental authority at the time of purchase. If the period of confidentiality for the particular program that is observed by the government authority has expired, the
- Number: This is the number assigned to the vendor by the relevant governmental
- 1 Location to which Program relates: Canada Lands: Where the purchased geophysical, geological or geochemical program is carried out on Canada lands, there is a limitation on the amount of incentives that can be paid. Incentives will be paid only on the balance remaining after eligible expenses of persons who have applied for incentives and the purchase price of persons who have not yet applied for incentives but have informed the Minister of their intent to do so are subtracted from the cost of the particular program (Declining Balance Method). A purchaser may inform the Minister of his intent to apply for

an incentive by stating: his name and vendor's name, date of purchase, purchase price, vendor's authorization number, type of program, and date vendor's program commenced.

The date PIP receives a potential applicant's intent to apply determines the priority that the applicant receives with respect to the payment of incentives on that data.

Example: Declining Balance Method Cost of program

Eligible expenses of persons who \$200,000.

Purchase price paid for data by

\$200,000.

Balance on which incentives may be paid \$200,000.

Provincial Lands: Where the purchased geophysical, geological or geochemical program is carried out on provincial lands, there is a limitation on the amount of incentives that can be paid. Incentives will only be paid where the applicant has filed a notice (PIP-12) that he, or a group he is a member of, is the first purchaser entitled to receive an incentive on the particular data; and where no incentive has previously been paid on the particular data other than to a member of the group he belongs to.

- Date Vendor's Program Began: Indicate the date that data collection commenced. This excludes project time prior to data collection.
- 11 Notice of First Eligible Purchaser: This notice is PIP-12. It is required from those persons claiming eligible expenses for purchases of geophysical, geological and geochemical data from programs undertaken on provincial
- 12 Canada Lands: Provide the total of all eligible expenses from Parts A and B that are incurred on Canada lands. Multiply these by the applicable PIP rate. (See Appendix
- R Lands other than Canada lands: Provide the total of all eligible expenses from Parts A and B that are incurred on provincial lands. Multiply these by the applicable PIP rate. (See Appendix 3)

### PIP-05 Eligible Expenses in Respect of a Unit Agreement

Part A-Identification			ENTITY NUMBER	1111	CONT	ROL		
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DESCRIPTION 3				TYPE OF WELL	DEVELO			
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AGREEMENT SUMMAR ZE NATURE OF AMENU		1 1 1 1 1 1 1 1 1			] AMENDA	MENT(S)		
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□ "Yes" □ "I	No" If "No", do n	ot addinit exper						
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			L	Total Elig			es 1	s			112
Total Applicant's Eligible Expenses	(Enter on FORM PIP 0	16 1(1) or (2))		after Adju	ıstr	nents			nter on FORM P	MP 04	11 or (21)

- Eligible Expenses in Respect of a Unit Agreement: Applicants who incur eligible expenses pursuant to a unit agreement must complete a PIP-05. A separate PIP-05 should be completed for each unit agreement under which an applicant incurs eligible expenses. (See Adjustments: Unit Agreements, page 51)
- 2 Unit Name: Enter the name registered with or approved by the government authority having jurisdiction in the area where the unit is situated.
- 3 Land Description: Enter the name of the area that includes the unitized land according to the descriptions in Schedule IV of the PIP Regulations.
- **Exception to Adjustments:** Applicants who are exempt from adjustments by virtue of the safehavening, grandfathering or threshold regulations, complete B(1), B(2) or B(3), as the case requires.
- **5** Applicant's Unit Expenses: Complete Part C when exempt from adjustments. Applicants should also have completed B(1), B(2) or B(3) above.
- **6** Applicant's Tract Participation: Parts D, E and F are to be completed by applicants whose eligible expenses are subject to adjustment.
- Unit Tract Number: Enter the number of each of the unit tracts, contained within the unitized area, in which the applicant has a working interest.
- **8** Applicant's Working Interest in Tract: Indicate working interest percentage in each of the unit tracts listed.
- **9** Production Tract Factor: Indicate the percentage of total unit production allocated to each of the unit tracts listed.
- 10 Expense Tract Factor: Indicate the percentage of total unit expenses to be borne by each of the unit tracts listed. Note that where the production tract factor is not equal to, or greater than, the expense tract factor, eligible expenses for that unit tract are reduced to zero.
- **11** Applicant's Tract Expense: Indicate the expense percentage for each of the unit tracts listed to be borne by the applicant.

- 12 Applicant's Share of Expenses: Indicate the applicant's expenses for each of the unit tracts listed.
- (B) Calculation of Interest Reduction Factor: Where an applicant's working interest in any given unit tract is encumbered by a gross or net interest, a net working interest percentage must be determined for that unit tract. Complete Part E for each such unit tract.
- (See Adjustments: Unit Agreement, page 51)
- (b) Unit Tract: List each of the unit tracts as per Part D. Include all unit tracts listed in Part D.
- **(B)** Applicant's Unit Tract Expenses: Provide expenses for each of the unit tracts listed (from Part D, column 6).
- Net Working Interest Percentage: Provide the net working interest percentage for each unit tract listed. If the applicant's working interest with respect to the unit tract is subject to encumbrances, the net working interest percentage will be transferred from Part E. If the applicant's working interest in the unit tract is not subject to encumbrances then his net working interest percentage is equivalent to his working interest percentage listed in Part D, column 2.
- (B) Applicant's Unit Tract Expense Percentage: Provide the expense percentage for each of the unit tracts listed to be borne by the applicant (from Part D, column 5).
- 13 Adjusted Expenses: Adjusted eligible expenses are determined after application of the formula:

$$A = E \times \underbrace{NWIP}_{TEP}$$

A = adjusted eligible expenses
E = unadjusted eligible expenses
NWIP = net working interest percentage
TEP = tract expense percentage

es Program	FOR DEP	ARTMENTAL	USF ONLY	
Use separate FORM PIP-06 for each project	CONTROL NUMBER	_		
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Part A—Breakdown or Eligible Asset Costs (Must be completed in all cases)				
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Total Eligible Asset Costs				_ 0
Part B—Costs Not Subject to Adjustments				
(1) If applying for exception to adjustments under the \$500,000 Rule, enter amount on line 05	below			
(2) Complete this part and FORM PIP-13 —Asset Costs if applying for exception to adjustments tent provision	sunder a Cana	adian Co	on-	
(check applicable box)  General Canadian Content provision   Canadian Content for the duration of				
General Canadian Content provision   Canadian Content for the duration o	r an agreemen	it provisi	on	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes  No If "Yes", do the costs in this application relate to	that agreeme	nt?		
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes No If "Yes", do the costs in this application relate to Yes No. If "Yes", indicate period to which the FORM PIP-13 applies  **Flow**  If "No", complete all parts of FORM PIP-13—Asset Costs	that agreemen	nt? vv мм	DD DD	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes No If "Yes", do the costs in this application relate to Yes No If "Yes", indicate period to which the FORM PIP-13 applies	that agreemen	nt? vv мм		
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes  No If "Yes", do the costs in this application relate to Yes  No. If "Yes", indicate period to which the FORM PIP-13 applies   **FIGGE TO NO. If "Yos", complete all parts of FORM PIP-13 —Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement enter	that agreemen	nt?		or
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?  Yes No If "Yes", do the costs in this application relate to Yes No. If "Yes", indicate period to which the FORM PIP-13 applies If "No", complete all parts of FORM PIP-13 —Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.	red into on or	nt?	DD	01
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?  Yes No If "Yes", do the costs in this application relate to Yes No. If "Yes", indicate period to which the FORM PIP-13 applies If "No", complete all parts of FORM PIP-13 —Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.	red into on or	nt?	DD YY MM	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes  No if "Yes", do the costs in this application relate to Yes  No if "Yes", do the costs in this application relate to Yes  No if "Yes", indicate period to which the FORM PIP-13 applies    If "No", complete all parts of FORM PIP-13 — Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.  PERIOD COVERED FROM TO WANT BOOK TO WAS THES AGREEMENT AND TO WAS THES AGREEMENT AND TO WAS THE AGREEMENT AND THE AGREEMENT AND TO WAS THE AGREEMENT AND THE	red into on or	nt?	DD YY MM	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?	red into on or	nt?	DD YY MM	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes No If "Yes", do the costs in this application relate to Yes No If "Yes", indicate period to which the FORM PIP-13 applies  If "No", complete all parts of FORM PIP-13 — Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.  PERIOD COVERED PRIOR TO THE WAS THIS AGREEMENT ANALYTIC ARTHUR OF AMENDMENTS!  SUMMARIZE NATURE OF AMENDMENTS!  List below the eligible asset costs not subject to adjustment  (a) Eligible Asset Costs incurred under the \$500,000 Rule —	red into on or	nt?	DD YY MM	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes   No If "Yes", do the costs in this application relate to Yes   No If "Yes", indicate period to which the FORM PIP-13 applies   Yes   No If "Yes", indicate period to which the FORM PIP-13 applies   Yes   If "No", complete all parts of FORM PIP-13 — Asset Costs	that agreement MM DD TO	nt?  YY MM  before  E  Acceptable additional	DD YY MM	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes   No If "Yes", do the costs in this application relate to Yes   No If "Yes", indicate period to which the FORM PIP-13 applies   If "No", complete all parts of FORM PIP-13 — Asset Costs    (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.  PERIOD COVERD   PRIOD   PR	that agreement of the tagreement of the tagreement of the tagreement of the tagreement of tagreement	nt?  YY MM  before  E  Acceptable additional	DD YY MM	
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes No If "Yes", do the costs in this application relate to Yes No If "Yes", indicate period to which the FORM PIP-13 applies  If "No", complete all parts of FORM PIP-13 — Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.  PERIOD COVERED FAMILY NAMED TO WAS THIS AGREEMENT AND SCHARLEMENT OCTORER 28, 1980.  List below the eligible asset costs not subject to adjustment  (a) Eligible Asset Costs incurred under the \$500,000 Rule — Canadian Content provision — Cana	that agreement of the tagreement of the tagreement of the tagreement of the tagreement of tagreement	nt?  YY MM  before  E  Acceptable additional	DD YY MM	alion
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes   No If "Yes", do the costs in this application relate to Yes   No. If "Yes", indicate period to which the FORM PIP-13 applies   Yes   No. If "Yes", indicate period to which the FORM PIP-13 applies   Yes   If "No", complete all parts of FORM PIP-13 — Asset Costs (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.    PERIOD COVERED   Yes   No.   Yes   No.   No	that agreemen MM DD TO	nt?  vy MM  before  re	DD YY MM	alion
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes  No If "Yes", do the costs in this application relate to Yes  No. If "Yes", indicate period to which the FORM PIP-13 applies    If "No", complete all parts of FORM PIP-13 —Asset Costs  (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.  THE STANDARDER AS A STANDARD AS A	Ted into on or  FY YES INDICATE  IF YES INDICATE  MACHINENT  MACHINENT  OS  OS  OS  OS  OS  OS  OS  OS  OS  O	nt?  vy MM  before  re	VV MM	alion
Has the applicant previously applied for exception to adjustments under the Canadian Conte agreement provision?   Yes   No If "Yes", do the costs in this application relate to Yes   No. If "Yes", indicate period to which the FORM PIP-13 applies   Yes   No. If "Yes", indicate period to which the FORM PIP-13 applies   Yes   If "No", complete all parts of FORM PIP-13 — Asset Costs (3) Complete this part if applying for exception to adjustments under a written agreement ente October 28, 1980.    PERIOD COVERED   Yes   No.   Yes   No.   No	Ted into on or  FY YES INDICATE  IF YES INDICATE  MACHINENT  MACHINENT  OS  OS  OS  OS  OS  OS  OS  OS  OS  O	before  Defore  TE  IE-nte on FO	VV MM	_[

art C—Ajustments					
Applicant's Share of Costs (CP) —————— Applicant's Operating Interest Percentage (OIP) Interest Percentage (IP) ————— Net Working Interest Percentage (NWIP) (from	)				% 10 % 11 % 12 % 13
alculate the "Adjusted Asset Cost" using the formu	la below.	_			
	Asset Costs subject to adjustments rune 09 of reverse)	×	*IP =	Eligible Assel Costs after adjustment	15
P - is the lesser of NWIP and OIP (use the lowest N	WIP as per FORM	PIP-14(1))			
Total Asset Costs Not Subject	t to Adjustments	from line 08 on	reverse)	\$	_ 15
Total Eligible Asset Costs aft	ter adjustment (To	tal of lines	15 and 16)	\$	- 512
Total Eligible Asset Costs an	er aujustilletit (10	tai Oi iii les	i J alia Taj	(Enter on FORM PIP 0313))	- 1111

Deligible Asset Costs: An eligible asset cost is the capital cost of new tertiary recovery equipment bought on or after January 1, 1981. For the purposes of PIP, new means unused. Costs incurred in converting equipment into tertiary recovery equipment are eligible asset costs.

No PIP incentive will be paid on costs incurred with respect to any integrated oil sands project or on costs incurred in respect of scientific research as defined in section 2900 of the Income Tax Regulations.

An eligible asset cost may be incurred with respect to a unit agreement. The applicant in this situation should contact PIP for instructions prior to completing any forms.

Tertiary recovery equipment means property included in paragraph (j) of class 10 on Schedule II of the Income Tax Regulations.

Before an incentive can be paid in respect of an eligible asset cost, the oil and gas well equipment, as well as the project itself, must be certified by the Minister. The project must utilize recovery methods which result in the recovery of oil in excess of the oil that would be recovered using primary or secondary methods. (See Ministerial Approval, page 54)

- 2 Ministerial Certification Number: This is the number the Minister assigns to the tertiary recovery project.
- Breakdown of Eligible Asset Costs: The applicant must detail his share of the eligible asset costs incurred by the project including:
  - purchase price paid for all tertiary recovery equipment for the project;
  - capitalized installation costs associated with the installation of eligible asset costs; and
  - other, being transportation charges and other capitalized items.

 $\Lambda$  detailed cost summary must also be provided. The summary must detail the cost of each piece of equipment certified by the Minister for use in each project for which a PIP-06 has been filed.

- (1) Asset Costs Not Subject to Adjustment: The applicant's eligible asset costs may not be subject to adjustment by virtue of the grandfathering, safehavening or threshold provisions of the PIP Regulations.
- 5 Asset Costs Subject to Adjustment: In the case where the applicant's eligible asset costs are subject to adjustment, they are adjusted using the following formula: (See Adjustment: Eligible Asset Costs, page 51)

$$A = C \times II^2$$

$$CP$$

A = adjusted eligible asset costsC = unadjusted eligible asset costs

 $CP = cost \ percentage$ 

IP = the lesser of the applicant's NWIP or OIP with respect to the project

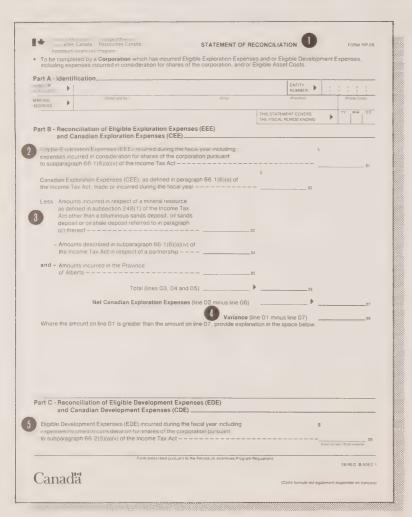
6 Option to Acquire Operating Interest: In determining operating interest percentage, where a right exists that would, if exercised, reduce the applicants operating interest percentage, the operating interest percentage is determined as if the right had been exercised unless certain conditions exist. (See Adjustment: Eligible Asset Costs, page 5 1)

### PIP-07 Eligible Expenses in Respect of a Drilling Contribution

Petroleum Incentives Program  Complete separate FORM PIP-07 for each well.		Ε	FOI	R DEPART	MENTAL	USE ONLY	
Part A—Identification			CONTROL	•			
NAME OF PERSON  CONTRIBUTION  CONTRIBUTION			ENTITY NUMBER	•	1		1
BUSINESS (Skeet and No ) (City) ADDRESS		(1-	rovince)			Per	rai Code
PERIOD TO WHICH THIS CONTRIBUTION FROM TO TO TO TO UNIQUE WELL DENTIFIER							
WORKING INTEREST OF THE PERSON RECEIVING 6 10 COMPLETION DATE OF THE ORILLING 1 T	MM DD	DATE AG	REEMENT		•	YY M	M DD
Part B—Canada Lands (complete if applicable)  is the person receiving the drilling contribution Canadian Controlled? — — — —  f "Yes", indicate the person's Canadian Ownership Rate — — — — — — — — — — — — — — — — — — —			e range o		· · Ye		No %
Total Eligible Drilling Contri	bution	S		01			
Incentive Rate (Appendix 3 in Incentive In respe	bution Guide) X		%		\$	ne 03 of FC	02 RW PIP 01,
Incentive Rate (Appendix 3 in Incentive In respe	Guide) X	g cont	% ribution	irilled b	by the	person Vo	RM PIP 01,
Incentive Rate (Appendix 3 in Incentive In respective In Incentive In Incentive In Incentive In Incentive	bution  Guide) X  ect of drilling	g cont	% ribution	rilled by Yes	by the	person Vo	RM PIP 01,
Incentive Rate (Appendox 3 in	bution  Guide) X ct of drilling  the lands in which a	g cont	% ribution	rilled by Yes	by the	person Vo	RM PIP 01,
Incentive Rate (Appendix 3 in Incentive In respective In respective In respective In respective In respective In respective In Incentive In respective Incentive In Incentive In Incentive In Incentive Incent	bution  Guide) X ct of drilling  the lands in which a	g cont	% ribution	rilled by Yes	by the	person Vo	RM PIP 01,
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Incentive Rate (Appendix 3 in Incentive In respective In respective In respective In respective In respective In respective In Incentive In respective Incentive In respective Incentive In Incentive In respective Incentive Ince	bution  Guide) X set of drilling  the lands in which a ds in which a	g cont	% ribution	Perm	on the control of the	person Vo	RM PIP 01,
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- 1) Eligible Expenses in Respect of a Drilling Contribution: Applicants applying for incentives in respect of a drilling contribution must complete this form.
- 2 Drilling Contribution on Canada Lands: A PIP incentive will be paid on a drilling contribution in respect of a well drilled on Canada lands only if the recipient is an approved holder. (See Approved Holder, page 48)
- 3 Drilling Contribution on Provincial Lands: A PIP incentive will be paid on a drilling contribution in respect of a well drilled on provincial lands only if:
  - the applicant owns a working interest in lands contiguous to the lands of the person receiving the contribution;
     and
  - the drilling contribution does not exceed the fair market value of the information to be received.

### PIP-08 Statement of Reconciliation



Less: Ci	other than costs incurre	Lam the individual named i lam the duly authorzed si to the best of my information, of Reconciliation is true, corre with all provisions of the Petro	Variance 20, provide explanation in the space below	20 21
Less: Ci	ther than costs incurre the amount on line 19 is	ed in the Province of Alberta)  s greater than the amount on line	Variance  20, provide explanation in the space below  fication  1 this statement gring officer of the Corporation knowledge and belief this Statement ct and complete and is in compliance	
Less: Ci	other than costs incurre	ad in the Province of Alberta) s greater than the amount on line	Variance 20, provide explanation in the space below	
Less: C	other than costs incurre	ed in the Province of Alberta)	Variance	
Less: C	other than costs incurre	ed in the Province of Alberta)	9 Variance	
Less: C	other than costs incurre	ed in the Province of Alberta)	9 Variance	
Less: C				
	apital Cost, for income	tax purposes, of eligible assets	acquired during the fiscal year	20
Eligible				
	Ĭ	· ·		
		ible Asset Costs and Capita	0	
Where the	he amount on line 10 is	s greater than the amount on line	17, provide explanation in the space below	18
	Net Canadia	an Development Expenses (line	Variance (Line 10 minus line 17)	17
		Fotal (lines 12, 13, 14 and 15)		
of	Alberta		15	
	e Income Tax Act in re mounts incurred in the	espect of a partnership Province	14	
		bparagraph 66.2(5)(a)(iv) of		
of		abparagraph 66 2(5)(a)(iii) respect of a Canadian	13	
sa	defined in subsection of other than a bituminounds deposit or oil shale	248(1) of the Income Tax	12	
as	nounts incurred in room	d during the fiscal year		
of the Ind Less: An		ses (CDE), as defined in paragra		

- 1) Statement of Reconciliation: Only corporations are required to complete this form. A completed Statement of Reconciliation is required within one year after the end of the fiscal period in which the eligible cost or expense giving rise to the incentive is incurred.
- 2 Eligible Exploration Expenses: An eligible exploration expense (EEE) is an expense incurred on or after January 1, 1981 that is a Canadian Exploration Expense within the meaning of paragraph 66.1(6)(a) of the Income Tax Act subject to sections 11 and 12 of the PIP Regulations. Included in this definition are eligible exploration expenses incurred by investors solely in consideration for shares of a corporation. For the purpose of the Statement of Reconciliation ensure that any eligible exploration expenses incurred in the Province of Alberta are not included.
- Net Canadian Exploration Expenses: A Canadian Exploration Expense (CEE) is an expense incurred within the meaning of paragraph 66.1(6)(a) of the Income Tax Act.

A Net CEE is calculated by deducting the following from the total CEE amounts:

- an amount incurred in respect of those mineral resources not eligible under the PIP Regulations;
- an amount incurred by the corporation as a partner for its share of expenses in respect of a partnership (66.1(6)(a)(iv) Income Tax Act); and
- · an amount incurred in the Province of Alberta.
- **4 Explanation of Variance:** The variance is calculated between EEE and net CEE. An explanation of this variance must be provided only where the EEE amount on line 01 is greater than the net CEE amount on line 07.
- 5 Eligible Development Expenses: An eligible development expense (EDE) is an expense incurred on or after January 1, 1981 that is a Canadian Development Expense within the meaning of paragraph 66.2(5)(a) of the Income Tax Act subject to sections 10 and 12 of the PIP Regulations. Included in this definition are eligible development expenses incurred by investors solely in considera-

tion for shares of a corporation. For the purposes of the Statement of Reconciliation ensure that any eligible development expenses incurred in the Province of Alberta are not included.

6 Net Canadian Development Expenses: A Canadian Development Expense (CDE) is an expense incurred within the meaning of paragraph 66.2(5)(a) of the Income Tax Act.

A net CDE is calculated by deducting the following from the total CDE amount:

- an amount incurred in respect of those mineral resources not eligible under the PIP Regulations;
- an amount incurred by the corporation as a partner for its share of expenses in respect of a partnership within the meaning of subparagraph 66.2(5)(a)(iv) of the Income Tax Act; and
- · an amount incurred in the Province of Alberta.
- Variance: The variance is calculated between EDE and net CDE. An explanation of this variance must be provided only where the EDE amount on line 09 is greater than the net CDE amount on line 17.
- Reconciliation of Eligible Asset Costs and Capital Costs of Eligible Assets: Part D requires an annual reconciliation between:
  - eligible asset costs incurred during a fiscal period, outside of Alberta. (Eligible asset costs are costs incurred on or after January 1, 1981 that are the capital costs of tertiary recovery equipment certified by the Minister.), and
  - the capital cost, for income tax purposes, of the eligible asset costs (referred to above) acquired during the same fiscal period, outside of Alberta.
- **9** Variance: The variance is calculated between eligible asset costs and capital costs of eligible assets. An explanation of this variance must be provided only where the eligible asset costs amount on line 19 is greater than the capital costs of eligible assets on line 20.

## PIP-09 Statement of Adjustment

Resource	Canada Res	gie Mines et sources Canada			,	J PATE		OF P	2000	TMENT					
	Incentives Progra	m								CONTROL	R DEPA	WENTAL U	SE ONLY		
Part A - Ident NAME OF APPLICAN										ENTITY NUMBER	>	1	1		
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PERIOD DURING WA		1	•	FROM	YY M	4 DD	TO	ry Nav	00	THIS ADJUS					
Part 8 - Partio	ulars of Adju	stment	LIGIBLE EVISED	COS	SIBLE ASSE	T D				JUSTMENT FO			E0		_
FORMS REQUIRING	1	fy by number)													
			-												
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	Name	vel	-							Title of signi	ng officer	)			
	Segna	- ve						Telepho	ne No			D	ote		
		For	n prescribed pur	suant to the	Petroleum	Incentive	s Progra	m Regula	tions				10.050	8 5062	-

1 Statement of Adjustment: Adjustments are to be made where an applicant receives an incentive which is either in excess of, or less than, the amount to which he is entitled. A PIP-09 should be completed only if the adjustment relates to costs or expenses on which the applicant has already claimed an incentive.

Where an incentive has been paid which is in excess of the amount to which an applicant is entitled, an adjustment must be made. Where an incentive has been paid which is less than the amount to which an applicant is entitled, an adjustment may or may not be made.

Where an applicant has received an incentive, or part thereof, to which he is not entitled, he must make an adjustment with all due dispatch.

Where an applicant has received an incentive in an amount less than that to which he is entitled, he may make an adjustment at any time within four years after the end of the fiscal period during which the relevant cost or expense was incurred.

Eligible Development Expense Becoming Eligible Exploration Expense: Where an applicant has received an incentive in respect of an eligible development expense which becomes an eligible exploration expense by virtue of clause 66.1(6)(a)(ii)(B) or 66.1(6)(a)(ii.1)(B) of the Income Tax Act, he may make an adjustment if it is made with all due dispatch.

Adjustment Due to Change in Cost/Expense Percentage: Where an applicant has received an incentive which was determined with reference to a cost percentage, expense percentage, penalty expense percentage or tract expense percentage and the particular percentage changes, the applicant must make an adjustment.

Adjustment Required from Applicant Who has Ceased to Exist: Where an applicant has received an incentive and prior to an adjustment ceases to exist, the legal representative of the estate must, or may, make the adjustment in the case an individual; and, in any other case, the adjustment must, or may, be made by the persons who at the time the adjustment is made, are beneficially entitled to that portion of the estate of the applicant that includes the incentive.

## Forecast of Eligible Expenditures PIP-10

<ul> <li>Complete this for the fiscal period</li> </ul>	nada Ressou ent ves Program rm only if elig	gible co	ists or e	xper	nses o	utside th	e Pro	ELIGI vince	ORECAST BLE EXPEN of Alberta	IDITUR	cipated to	FORM PIP 10 exceed \$500,000 in
Part A - Identifica		applica	51 IL IS OF	WHI E	e ent	nied to re	Geive	eince	ntives.		CONTROL	OR DEPARTMENTAL USE ONLY
NAME											ENTITY NUMBER	111111
ADDRESS iHead Office if a Corporation			(Street and h	10 )				,C-ty)			(Province)	iPosta Code
LEGAL STATUS	☐ CORPOR	RATION	☐ TRUS	Т	] PA	RTNERSHII	2	] INDI	VIDUAL	FISCAL WHICH APPLIE	PERIOD EN THIS FORE( S	2 L MA CT
Part B - Disclosus Complete if intendir							tive c	n Car	nada Lands			
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		**	00 MN	7.7	MM	DD YY	WW	0.0		YES	S NO	
Part C - Forecast	of Eligible	Expe	nditure	s				S	Lands Oth Canada I			Canada Lands
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- 1 Forecast of Eligible Expenditures: A forecast is required where the applicant reasonably expects to incur eligible costs or expenses, on which he will apply for an incentive, in excess of \$500,000 for any fiscal period.
- 2 Filing of Forecasts: A forecast shall be filed within one month after the first day of the fiscal period to which it relates.

Exception: A forecast is not required for any fiscal period beginning prior to the date on which the Act comes into force.

## PIP-11 Waiver in Respect of An Amount of An Incentive

		AN AMOUNT	OF AN INCENTIV	CONTROL	R DE PARTMENTA	LUSE ONLY
				NUMBER		
				NUMBER NUMBER	<b>*</b>	
	This form is for use by a dance with the Petroleum person who applies for a twe or any portion thered with the Petroleum incer. For the purpose of claim completed waiver shall Energy Mines and Reso K1S 585, on or before the Petroleum and Gas Reve. The waiver shall be signe Petroleum lincentives Productionary of the petroleum song and good the state of the waiver shall be signed.	in Incentives Program in incentive shall be of off, as the case may be titives Program Act using a tax credit under be forwarded to the furces, P.O. Box 451 the due date for filing incue. Tax Act of by the qualified per	Act By the executive memoral to have recovered to have recovered, the application of the Petroleum and Petroleum Incentification (E. 99-the Production Revision who is an application individual, or if a	on of this waiver the amount of a cant is entitled in accard is entitled in accard seen the seed of the card of th	qualified in incen- ordance or a fully ment of Ontario, inder the inder the it, by the	
	poration, the corporate s The waiver shall be filed Program Act, with respe-	with each application			centives	
				PETROLEUM AND GAS REVENUE TAX	<b>•</b>	;
AME OF INDIVIDUAL				ACCOUNT NUMBER		*
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DIVIOUAL OR LTHORIZED ▶	above amount of an inceportion thereof are hereb	ntive or any portion th by waived in accorda	POSITION OR OFFICE  POSITION OR OFFICE  POSITION OR OFFICE	to receive that amou		DATE

Waiver of An Incentive - General: The applicant may apply any PIP incentive, or part thereof, against his Petroleum and Gas Revenue Tax payable. Where the applicant wishes to waive part or all of a PIP incentive, a completed PIP-11 must be filed with the application for that incentive.

## Notice of First Eligible Purchaser Geophysical, Geological and Geochemical Programs PIP-12

Part A				NUMBER ENTIT / NUMBER	DEPARTMENTAL USE ONLY	
To be complete     other than Can	leted by purchaser only lada Lands	if eligible for Petrole	um Incentives on lands			
NAME OF PURCHASER						
ADDRESS >	(Street and No.)	(Oity)	(Provi	ice)	(Postal Codi	1
TYPE OF PROGRAM 2	☐ GEOPHYSICAL	☐ GEOLOGICAL	GEOCHEMICAL	DATE OF PURCHASE	<b>→</b> 100	
	Vendor's Authorization (This number is obtained from Pri jurisdiction when applying for exp	ovincial loratory permit)	. was	0		
	Date Vendor's Program  Date Program Complet		VM	-		
	Total Purchase Price		\$	_		
If a group pure	chase, indicate purchasi	er's percentage share	4	00		
NAME OF VENDOR						
TITLE (If signing officer)						
ADDRESS >	(Street and No.)	(City)	(Prov.	nce)	(Postal Cod	
SIGNATURE .					DATE YY MM	DD

- 1 Eligibility: This form is to be completed only by applicants who purchased geophysical, geological or geochemical data relating to a program undertaken on provincial lands.
- **2** Type of Program: Indicate whether program is geophysical, geological or geochemical.
- **3** Vendor's Authorization Number: This number is issued by the relevant government authority.
- Group Purchase: If a group purchase, state the percentage of the total purchase price that was paid by the applicant. In this situation, each member of the group must complete a PIP-12.

# PIP-13 Disclosure of Canadian Content Participants Exploration and/or Development

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								ENTITY						
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art B-Agreement Parti	cipants						_							_
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This Form is to be complete adjustments under a Canada							CO	NTROL	FOR DEPARTMENTAL USE DI	N. Y
Part A—Identification	dian Content provisio						EN'		· .	
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			YY	MM	DD	%	YES	NO.	%	
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(3) List the full name of each p the eligible asset costs rel		wns or is entitled				ting inter			project to which	
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- Disclosure of Canadian Content Participants: Applicants may be exempt from applying adjustments to their eligible expenses by virtue of the safehavening provisions of the PIP Regulations. If this is the case, applicants must complete a PIP-13. Canadian Content and Safehavening are synonymous terms. (See Safehavening, page 48)
- 2 Safehavening of Eligible Exploration/Development Expenses: The PIP-13 is broken down into two parts: Safehavening of Eligible Exploration/Development Expenses and Safehavening of Asset Costs. If the expenses to be safehavened are eligible exploration or development expenses complete Disclosure of Canadian Content Participants: Exploration and/or Development.
- 3 Type of Safehavening Provision: Applicants may seek exemption from adjustment by virtue of either the General Canadian Content Provision or the Canadian Content for the Duration of an Agreement Provision. Check the appropriate box.
- Working Interests Safehavening of Eligible Expenses: Part B(1) of PIP-13 requires a listing of all persons who own, or have the right to acquire, a working interest within the applicant's net working interest land area.
- Net and Gross Interests Safehavening of Eligible Expenses: Part B(2) of PIP-13 requires a listing of all persons who own a net or gross interest that encumbers the applicant's working interest.
- **Safehavening of Eligible Asset Costs:** If the expenditures to be safehavened are eligible asset costs, complete Disclosure of Canadian Content Participants: Asset Costs.
- Working Interest: Safehavening of Eligible Asset Costs: Part B(1) requires a listing of all persons who own, or have the right to acquire, a working interest within the applicant's net working interest land area for the project.
- 8 Net or Gross Interests: Safehavening of Eligible Asset Costs: Part B(2) requires a listing of all persons who own a net or gross interest that encumbers the applicant's working interest.

9 Operating Interest: Safehavening of Eligible Asset Costs: Part B(3) requires a listing of all persons who own, or have the right to acquire, an operating interest in the project.

# PIP-14 (1) Net Working Interest Percentage Calculation

	er Canada			PERCENTA		ITEREST CULATIO	N 1			FORM	19 14(1)
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If space insufficient, attach Complete separate form for			(1)								
Where working interest vari	res, calculate	a Net Working	Interes	t Percentage	in respec	ct of					
each Working Interest usin	ng a separate										
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Net Working Interest Percentage Calculation: PIP-14(1) must be completed by all applicants whose eligible expenses are subject to adjustment. Note that an applicant's working interest may vary within a net working interest land area, or may exclude tracts, zones or a substance (i.e. oil/gas).

Where a working interest varies, a net working interest percentage must be determined for each working interest. It is the lowest of these net working interest percentages that is used for the purpose of applying the adjustments in PIP-15.

- 2 Exclusions: Where a tract, zone or substance (oil/gas) is excluded from the applicant's working interest, the applicant's working interest percentage with respect to that net working interest land area may be zero unless certain conditions are met with respect to the excluded zone or substance. (See Determination of Working Interest Percentage, page 49)
- 3 Interest Reduction Factors: If the applicant's working interest is encumbered by net and/or gross interests that are not exempt from adjustment, a reduction factor must be determined for those interests.
- Reduction Factor: Net Interest: A net interest must be calculated as a predetermined percentage or range of percentages. It must also be payable out of all or a predetermined percentage of the oil or gas recovered. If these conditions are not met the reduction factor relating to the net interest is 100%. Where the exercising of the net interest is dependent upon an event occurring, that event is deemed to have occurred, for the purpose of determining a reduction factor, but only where it does not result in the lessening of a reduction factor.

Where a net interest is convertible to a working interest, the applicant's net working interest percentage is the lessor of: the working interest percentage (WIP) less the encumbrance if it is treated as a working interest; or, the working interest percentage multiplied by the adjustment factor if the encumbrance is treated as a net interest.

**Example:** Company A has a 50% working interest in a land area. Its working interest is encumbered by a 7% net interest, convertible to a 5% working interest, held by non-Canadian Company B.

Company A's net working interest percentage for this land area is the lesser of:

- A's WIP less encumbrance treated as WIP: (50% 5%) = 45%
- A's WIPx(100 reduction factor), or, 50% (100 7) = 46.5%

Company A's net working interest percentage is 45%.

A reduction factor (or if more than one, the sum of the reduction factors) is subtracted from 100% to provide the applicant with an adjustment factor. This adjustment factor is multiplied by the applicant's working interest percentage to provide the applicant with a net working interest percentage. The net working interest percentage is used for the purpose of applying the adjustment formulae on PIP-15.

Example: Applicant A has a 40% working interest in a net working interest land area. The 40% working interest is encumbered by a 5% net interest held by a non-Canadian geologist and a 10% net interest held by a non-Canadian corporation. Both net interests are charged and paid out of the applicant's production.

Determination of Applicant's net working interest percentage is as follows:

Reduction Factor No. 1 
$$NI \times \frac{PC}{PP} = 5 \times \frac{40}{40} = 5\%$$

Reduction Factor No. 2 
$$NI \times \frac{PC}{PP} = 10 \times \frac{40}{40} = 10\%$$

Sum of Reduction Factors

Total working interest in area	100%
Sum of Reduction factors	- 15%
Adjustment factor	85%
Applicant's working interest percentage Applicant's net working interest percentage	x 40% 34%

be calculated as a predetermined percentage or range of percentages. It must also be payable out of all, or a predetermined percentage of the oil or gas recovered. If these conditions are not met the reduction factor relating to the gross interest is 100%. Where the exercising of the gross interest is dependent upon an event occurring, that event is deemed to have occurred for the purpose of determining a reduction factor, but only where it does not result in the lessening of a reduction factor.

Where a gross interest is convertible to a working interest the applicant's net working interest percentage is the lesser of: the working interest percentage less the encumbrance if it is treated as a working interest; or, the working interest percentage of the applicant multiplied by the adjustment factor if the encumbrance is treated as a gross interest.

Example: Company A has a 50% working interest in a land area. Its working interest is encumbered by a 7% gross interest, convertible to a 15% working interest held by Company B.

Company A's net working interest percentage for this land area is the lessor of:

- A's WIP less encumbrance treated as WIP (50% 15%) = 35%
- A's WIP x (100 reduction factor), or, 50% (100 3 x 7) = 39.5%

Company A's net working interest percentage is 35%. Note that in the case of a gross interest, the nominal gross interest encumbrance is multiplied by 3 for the purpose of determining the reduction factor.

**6** Net Working Interest Percentage: This figure is required for the purpose of applying the adjustment formulae on the PIP-15.

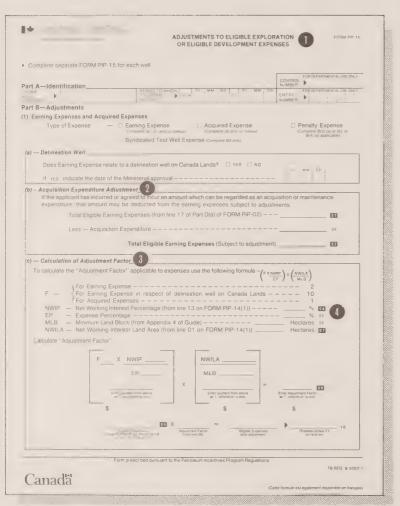
Note that where there is more than 1 net working interest percentage with respect to a net working interest land area, it is the lowest net working interest percentage that is used for the purpose of applying the adjustment formulae on the PIP-15.

# PIP-14 (2) Determination of Net Working Interest Percentage

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Determination of Net Working Interest Percentage Required for Equipping and Post-Equipping Expenditures Percentage Adjustment: This form must be completed to provide a net working interest percentage for the purpose of applying the equipping and post-equipping expenditure adjustments.

## PIP-15 Adjustment to Eligible Exploration or Eligible Development Expenses



Penalty Production (Canada Lands) Penalty Pero	entage % -	100°。_	۰, 12	
		100% _		
c	4000			
	400-7	Enter Adjust or 1 which is		
	B × °,	\$	\$	573
Eligible Ponatry Expenses from FORM PIP 02 line 19)	Adjustment Factor (from tine 12			-
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Penalty Net Working Interest Percentage in Pe to be acquired by applicant(PNWIP)		_	20 11	
Penalty Expense Percentage (PEP)		- Can	20 14	
Penalty Land Area (PLA)		- Sec	stions s	
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t B (4) Penalty Production—Lands Other th	an Canada Lands	9		
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\$		\$	\$	-
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			\$	
Total Expenses Not Subject	t to Adjustments (F	om line 15 on FUR	M PIP-02)	23
			2 and 22)	22
Eligible Expenses after adju	ustment (Total of line	s i i, 14, 18, 19, 2	Enter on FORM PIP	O1111 or (2)1

- Adjustments to Eligible Exploration or Eligible Development Expenses: Parts A and B(1) of this schedule must be completed by all applicants who incur eligible exploration or development expenses which are subject to adjustment. Parts B(2) and/or B(4) must be completed by all applicants who incur eligible penalty expenses which are subject to adjustment. Part B(3) must be completed by all applicants who incur eligible expenses relating to syndicated test wells. PIP-15, when completed, will provide applicants with adjusted eligible exploration or development expenses which are entered on the PIP-01 (1) or PIP-01(2).
- 2 Acquisition Expenditures: An applicant who has incurred, or has agreed to incur, any acquisition or maintenance expenditures may be required to deduct these expenditures, on a dollar for dollar basis, from earning expenses. The dollar for dollar deduction is undertaken before the earning expenses are subject to any other adjustment. (See Acquisition Expenditure Adjustment, page 51)

An acquisition expenditure is any expenditure made in consideration for the acquisition of oil or gas rights, but not including an eligible expense pertaining to the lands to which the oil or gas rights pertain; or an equipping/postequipping expenditure.

A maintenance expenditure is any expenditure made to the Crown or a freeholder as consideration for the preservation of oil or gas rights, but not including any expenditure relating to a period beginning on the date an agreement was signed pursuant to which the applicant will acquire the oil or gas rights.

- 3 Calculation of Adjustment Factor: The adjustment factor will be applied to eligible expenses and may result in those expenses being adjusted downwards.
- Adjustment Formula: The basic adjustment formula is:

$$A = E \times (F) \underbrace{NWIP}_{EP} \times \underbrace{NWILA}_{MI.R}$$

A = adjusted eligible expenses
E = unadjusted eligible expense
F = factor
NWIP = net working interest percentage
EP = expense percentage
NWILA = net working interest land area
MLB = minimum land block

The factor (F) in the formula will vary depending upon the particular situation:

- Farm-in: where the applicant is incurring earning expenses, the factor is 2.
- Straight-up: where the applicant is incurring other than earning expenses (he has already earned his working interest), the factor is 1.
- Well delineation: where the applicant is incurring earning expenses in respect of a delineation well, the factor is 10.

Note that in all cases ((F)  $\underbrace{NWIP}_{EP}$  and  $\underbrace{NWILA}_{MLB}$  cannot exceed 1.

Example: Company A farms-in on a 3,000 hectare block in the Liard Basin. Company A will earn a 30% working interest for incurring 70% of the expenses. There are no encumbrances (i.e., reduction factors) on Company A's working interest. Company A completes the well which has a total cost of \$1 million.

Company A's adjusted eligible expenses are:

$$A = E \times (F) \underbrace{NWIP}_{EP} \times \underbrace{NWILA}_{MLB}$$

E = 70% of \$1 million or \$700,000 F = 2 (farm-in situation) NWIP = 30% (no encumbrances) EP = 70% NWILA = 3,000 hectares MLB = 4,000 hectares (Liard area)

$$A = 700,000 \times \frac{2(30)}{70} \times \frac{3,000}{4,000} = $450,000$$

- Penalty Expense Adjustments: This part is to be completed by applicants who have incurred eligible penalty expenses on Canada lands. (See Penalties, page 50)
- 6 Production Penalty Canada Lands: Complete this part only if eligible penalty expenses are incurred pursuant to a production penalty on Canada lands and the production penalty is acquired pursuant to an agreement signed on or before October 28, 1980.

Eligible penalty expenses incurred pursuant to such a penalty are adjusted using the following formula:

$$APE = UPE \times \frac{PP - 100\%}{400\%}$$

APE = adjusted penalty expenses
UPE = unadjusted penalty expenses
PP = penalty percentage

- Net Working Interest Penalty Canada Lands: Complete this part only if a net working interest penalty has been incurred on Canada lands. Eligible penalty expenses incurred through a net working interest penalty on Canada lands will be reduced to zero unless: the penalty land area is greater than or equal to 9 sections, and the applicant's penalty net working interest percentage is greater than or equal to half his penalty expense percentage.
- 3 Syndicated Test Well: Complete this part only if eligible exploration expenses relating to a syndicated test well are incurred. Eligible expenses incurred through the drilling of a syndicated test well will be reduced to zero unless the expense percentage of the applicant equals his working interest in the accumulation being tested. (See Syndicated Test Well, page 52)
- 9 Production Penalty Provincial Lands: Complete this part only if eligible penalty expenses are incurred pursuant to a production penalty on provincial lands. Eligible penalty expenses incurred pursuant to such a penalty are adjusted using the following formula:

$$APE = UPE \times \underline{PP - 100\%}$$

$$200\%$$

## PIP-16 Election in Respect of Approved Expenditure Grants

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1 Election in Respect of Approved Expenditure Grants: An applicant must complete a PIP-16 where he is, or may be, entitled to receive an expenditure grant under Part II of the Oil and Gas Incentive Regulation, 1978, of the Province of Saskatchewan in respect of an eligible cost or expense.

This section outlines in more detail the concepts and the criteria on which the PIP program is based. For the legal authority, the applicant must consult the Petroleum Incentives Program Act and Regulations. References to relevant sections of both the Act and Regulations are included throughout this section.

## Eligibility

All persons are entitled to the 25% Crown Share Incentive provided they incur eligible exploration expenses on Canada Lands. (PIP Act, 3)

In order to be entitled to PIP incentives beyond the 25% Crown Share Incentive, an applicant must be a QUALIFIED PERSON, generally, have a PRESCRIBED INTEREST and incur ELIGIBLE COSTS OR EXPENSES. (PIP Act, 4)

## **QUALIFIED PERSONS**

Individuals, partnerships, corporations and trustees are considered qualified persons for PIP purposes. Certain non-taxable entities defined in subsection 149(1) of the Income Tax Act are not considered qualified persons. (Regulations, 5(1)(2)(3))

In the case of partnerships, it is the partnership, not its individual members, that applies for PIP incentives. It is also the partnership's COR and CS that determine the incentive rate. However, a partnership consisting of 12 or fewer persons may apply to the Minister to allow each individual partner to be treated as an individual applicant in respect of eligible costs or expenses incurred by the partnership. If the Minister approves this application, it is then the individual partner's COR and CS that determine the incentive rate. (Act, 5(1); Regulations, 5(4), 6(1)(2)(3))

In the case of flow through share corporations where a person incurs an eligible exploration or development expense pursuant to an agreement described in paragraphs 66.1(6)(a)(v) or 66.2(5)(a)(v) of the Income Tax Act, the corporation referred to in those paragraphs is the person qualified to receive a PIP incentive. (Regulations, 5(6))

In the case of a trust, the trustee is the person qualified to receive a PIP incentive. (Regulations, 5(5))

**Summary: Eligible Applicants** 

Expenses or Costs Incurred by	Application By	Legal Status
Individual	Same	Canadian citizens or landed immigrants normally resident in Canada; and of legal age under laws of Canada or Province
Corporation	Same	Incorporated under laws of Canada or Province
Flow-Through Share Corporation	Corporation on behalf of shareholder	
Joint Exploration Corporation	Same	
Corporations held by Her Majesty in Right of Canada or Province	Same	
Partnership, except partnership election	Partnership	Subject to partnership laws of Province
Partership, with partnership election	Partner	From partnership of 12 or less approved by Minister
Joint Venture	Joint Venturer	
Trust	Trustee	Example: pension trust under section 149(1) of the Income Tax Act

NOTE: In all cases it is the applicant's COR/CS that is relevant, except in the case of a trust where it is the trust's COR/CS that applies.

## Loss of Eligibility

Where a taxable corporation has received an incentive and that corporation subsequently becomes tax exempt under paragraph 149(1)(d) of the Income Tax Act at any time within a period of ten consecutive calendar years, commencing with the calendar year in which the incentive was paid, the corporation is not entitled to that incentive from the date on which it was made. Therefore, all monies paid, other than the Crown Share Incentive, shall be recoverable with interest. (Regulations, 18(1))

#### PRESCRIBED INTERESTS

In order to be entitled to PIP incentives beyond the Crown Share Incentive, the applicant is generally required to have, or to earn, a prescribed interest. (Act 4(b))

Exceptions to this rule are:

- geological, geophysical and geochemical expenses other than those incidental to the drilling of a well;
- · internal overhead expenses;
- drilling contributions (Canada lands only);
- Crown Share Incentive (Act, 3); and
- expenses described in subparagraph 66.1(6)(a) (iii) of the Income Tax Act. (Regulations, 8(2))

Prescribed interests are as follows (Regulations, 8(1)):

 Eligible exploration expense incurred in drilling syndicated test well: ownership of a working interest in any part of the land believed, at the commencement of drilling, to contain the accumulation being tested.

- Eligible exploration expense incurred as a drilling contribution (Provincial lands only): ownership of a working interest in land contiguous to the land containing the well to which the expense pertains.
- Eligible exploration expense pursuant to subparagraph 66.1(6)(a)(iii.1) of the Income Tax Act: ownership of an undivided interest in the bituminous sands deposit, oil sands deposit or oil shale deposit to which the expense pertains.
- Eligible expense incurred pursuant to a unit agreement: ownership of a working interest in the unit tract to which the eligible expense is allocated.
- Eligible expense (all other): ownership of a working interest in the lands containing the well.
- Eligible asset cost: ownership of an operating interest in the project to which the cost pertains and a working interest in at least part of the lands to which that project pertains.

#### ELIGIBLE COSTS OR EXPENSES

There are 3 types of expenditures which qualify for PIP incentives: eligible exploration expenses (including geophysical, geological and geochemical expenses), eligible development expenses and eligible asset costs.

Eligible exploration or eligible development expenses are those incurred on or after January 1, 1981 and defined as Canadian Exploration Expenses or Canadian Development Expenses under paragraph 66.1(6)(a), and 66.2(5)(a) respectively of the Income Tax Act, as modified by sections 10, 11 and 12 of the PIP Regulations.

Eligible asset costs are any costs incurred on or after January 1, 1981, that are the capital costs of new certified tertiary recovery equipment. For PIP pur-

poses, "new" means unused by any person for any purpose prior to use in the project for which a PIP incentive is being applied for. To be eligible for PIP incentives, tertiary recovery equipment must generally be used in a project approved by the Minister.

The costs of converting equipment into tertiary recovery equipment are eligible asset costs.

Pipelines will not be eligible for PIP incentives, unless specifically approved in writing by the Minister.

#### Limitations

The following must not be included as eligible costs or expenses (Regulations, 12(1)(3)):

### • Reimbursements

If at the time the cost or expense is incurred, the person incurring the cost or expense, or the person who would be eligible to receive the incentive in respect thereof: has received, or has the right to receive, a reimbursement, compensation or payment other than a penalty working interest, penalty production or assistance from a government, municipality or other public authority; has received or is eligible to receive a payment under the Approved Expenditure Grants Program and Certified Exploratory Well Grants Program of Saskatchewan, subject to subsection 12(5) of the Regulations; has a contingent right to receive a reimbursement, compensation or other payment and becomes entitled thereto and the person making the reimbursement, compensation or other payment is eligible to receive a PIP incentive in respect thereof or the contingent right exists to circumvent subparagraph 12(1)(a)(i) of the PIP Regulations; then, the costs or expenses reimbursed, or to be reimbursed are not eligible costs or expenses.

## Part II PIP Concepts and Criteria

## • Drilling Contribution

Any cost or expense that is reimbursed by another person as a drilling contribution.

## • Reimbursement to Earn Working or Operating Interest

Any reimbursement to acquire a working or operating interest and constitutes a reimbursement of an expenditure previously incurred by a person from whom the interest is earned.

## · Integrated Oil Sands Projects

Expenditures incurred in respect of integrated oil sands projects such as to Suncor or Syncrude.

## • Interest and Financing Charges

Interest and financing charges as defined in subparagraphs 20(1)(c)(d)(e) of the Income Tax Act

## Scientific Research

Scientific research defined in section 2900 of the Income Tax Regulations.

## • Insurance Policy

Any reimbursement under an insurance policy.

## Unreasonable Amounts

Expenditures which are not reasonable in the circumstances.

## · Non-Arm's Length Transactions

Payments, to persons not dealing at arm's length with the person making the payment or the person eligible to receive a PIP incentive in respect thereof, that exceed the fair market value of property or performance of a service, are not eligible costs or expenses to the extent that the payment exceeds fair market value. The PIP definition of non-arm's length is essentially that contained within section 251 of the Income Tax Act.

## • Unit Agreements

Any payment made pursuant to a unit agreement which constitutes a reimbursement for expenditures incurred in respect of that unit prior to the signing of the unit agreement.

## Canadian Exploration and Development Overhead Expense (CEDOE)

Specified Canadian exploration and development overhead expenses as defined in Schedule V of the PIP Regulations.

## CEDOE

## Applicant's Own Overhead

A Canadian Exploration and Development Overhead Expense (CEDOE) is aCanadian Exploration Expense or Canadian Development Expense incurred by a person after 1980 in respect of:

Administration, Management or Financing Expenses, including such items as interest on borrowed funds, corporate organization costs, personnel and accounting branch costs that are related solely to corporate existence.

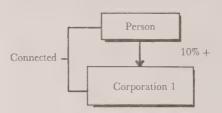
Payroll Expenses, relating to any employee whose duties are not all, or substantially all, directed towards Canadian exploration or development activities.

Rental, Maintenance, Taxes or Insurance Expenses, on property which is not all or substantially all, used for Canadian exploration or development activities.

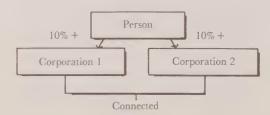
Charges from a connected person in respect of: the use of, or right to use, property; compensation for the performance of a service; and the acquisition of any materials, parts or supplies to the extent that the charge exceeds the cost to the connected person of the property, service or material.

## Persons are connected if:

- They do not deal at arm's length.
- A person has an equity percentage in a corporation of not less than 10%.



• A person has an equity percentage in Corporation 1 and in Corporation 2 of not less than 10%.



Charges from a connected person are not eligible exploration or eligible development expenses if they constitute:

A cost or expense made or incurred by a connected person that would have been a Canadian exploration or development overhead expense had that person been subject to the CEDOE provisions.

A cost incurred that is not reasonably attributable to the property, services or materials provided to the subject person (i.e., the applicant).

A cost which is an amount in respect of the capital cost of a property. (Other than that proportion of the capital allowance on depreciable property that may reasonably be considered attributable to the use of the property by the subject person i.e., the applicant.)

NOTE: Certain expenditures incurred in Canada lands prior to 1983 which normally would be considered CEDOE have been exempted under certain conditions from this definition. (See PIP Regulations, Schedule V, Item 4)

## **Incentive Rates**

PIP provides a basic 25% Crown Share Incentive to all applicants who incur eligible exploration expenses on Canada lands regardless of their COR or CS.

PIP also provides additional incentives and the rate for these incentives is dependent on 5 factors: the TYPE, LOCATION and YEAR of EXPENDITURE, and the applicant's COR and CS.

## • Type of Expenditure

The incentive rate varies depending upon whether the expenditure is an eligible exploration expense, eligible development expense or eligible asset cost. (Act, 7, 8, 9)

## • Location of Expenditure

The incentive rate varies depending on whether the eligible expenditure is incurred on Canada lands or provincial lands. (Act, 7, 8, 9)

## Year of Expenditure

The incentive rate varies depending upon the year in which the expenditure is incurred. (Act, 7, 8, 9)

## · COR and CS

Generally, applicants require a COR/CS certificate to apply for incentives other than the 25% Crown Share Incentive. The particular incentive rate will depend on the COR level of the applicant. (See Appendix 3)

#### TRANSITIONAL RULE

During the initial start-up period of the program, transitional rules exist which will permit an applicant, under certain circumstances, to submit an application for incentives beyond the 25% Crown Share Incentive without a COR/CS certificate. This start-up period is from January 31, 1981 to December 31, 1982. During this period the Minister may fix the COR and determine the CS of an applicant if the application to do so is received on or before December 31, 1982, and:

- the applicant certifies that he has submitted his application for a COR/CS certificate and has received an acknowledgement from the COR/CS program that they have received his application;
- the applicant certifies that he is in the course of applying for his COR/CS certificate. (Generally applies to applicants who are experiencing a delay in obtaining the necessary information to calculate a COR.) (Act, 2(2)(a); Regulations, 4(1)(2))

When the applicant has submitted his application for a COR/CS certificate, the Minister will accept the applicant's own COR calculation provided he considers it reasonable. (Regulations, 4(3))

Where the applicant is still in the process of applying, he should provide to the Minister as much information as possible pertaining to the calculation of his COR, as this information will be used in the fixing of his COR. He must also provide a valid reason why he cannot file an application with the COR/CS program and provide a D-day. The D-day is the date of record for determining a COR. After choosing a D-day, an applicant has 180 days in the transitional period to file his COR application.

Prior to the Minister fixing the COR of an applicant, it will be necessary for that applicant to have received a letter of opinion on his CS from the COR/CS program or from the Foreign Investment Review Agency.

The transitional rules also provide that when the COR/CS certificate is issued by the program, it will take precedence over the COR/CS fixed and determined by the Minister. If incentives have been paid on the basis of a higher COR/CS then that ultimately determined, the excess incentive will be considered an overpayment and recovery action will be triggered. (Regulations, 4(4))

#### **GRACE PERIOD**

Situations could arise where an applicant's COR decreases through circumstances beyond his control. In these situations, provision has been made to allow, upon application to the Minister, several grace periods which would provide the applicant with an opportunity to raise his COR to its former rate. (Act, 2(2)(b); Regulations, 4(5)(6)(7))

#### First Grace Period

The applicant is allowed six months to increase his COR to the original rate. During this time, the applicant is entitled to receive incentives based on that original rate.

### Second Grace Period

When the applicant is unable to increase his COR to its original rate within the first six months, he may be given an additional six-month period provided that he demonstrates to the Minister it is reasonable to believe that his COR will increase to that original rate within the second grace period. During this second six-month period, however, he will receive PIP incentives based on his current (i.e. lower) COR. If he is successful in increasing his COR to the original rate he will receive PIP incentives at that rate for the entire six month period.

## Adjustments

A major challenge associated with the design of PIP has been the recognition that the benefits conferred by the program on Canadians could, in a variety of ways, be transferred to non-Canadians. As a result of this concern a number of rules have been adopted which, while not prohibiting arrangements involving benefit transfer, reduce PIP benefits in proportion to the transfer. These rules cover:

- the size of working interest held or to be earned relative to expenses incurred;
- the size of the land area to which the working interest pertains;
- the size of production penalties or working interest penalties;
- the size of operating interest held relative to expenses incurred and revenues obtained;
- the sharing of non-eligible expenditures;
- drilling contributions;
- syndicated test wells;
- the sharing of expenses under unit agreements;
   and
- the interest held and share of production relating to a bituminous sands, oil sands or oil shale deposit.

There are certain categories of costs and expenses which are not subject to any adjustment.

### **CROWN SHARE INCENTIVE**

Eligible exploration expenses incurred on Canada lands are not adjusted for the purpose of calculating the 25% Crown Share Incentive.

#### THRESHOLD

Where the applicant incurs total eligible costs or expenses in a fiscal period not exceeding \$500,000 outside of Alberta, no adjustment to eligible costs or expenses are necessary. (Regulations, 32(8))

However, if the applicant is dealing with any other person on a non-arm's length basis, the total eligible costs or expenses of the applicant and the non-arm's length person(s) cannot exceed \$500,000 for the relevant fiscal period.

## GEOPHYSICAL, GEOLOGICAL OR GEOCHEMICAL EXPENSES

Geophysical, geological or geochemical expenses which are not incidental to the drilling of a well are not subject to adjustment. (Regulations, 32(1)(a))

#### INTERNAL OVERHEAD

Internal overhead is any eligible expense in respect of overhead other than a geological, geophysical or geochemical expense, incurred directly by the applicant that cannot be reasonably allocated to a well. Internal overhead is not subject to adjustment. (Regulations, 32(1)(b))

# BITUMINOUS SANDS, OIL SANDS, OIL SHALE DEPOSITS

Any expenses incurred for the purpose of determining the existence, location, extent and quality of a bituminous sands, oil sands, or oil shale deposit, are not subject to adjustment. Regulations, 32(1)(c))

#### GRANDFATHERING

Recognition has been given to agreements that have been signed prior to the introduction of the National Energy Program (October 28, 1980) and, in some cases, to agreements that have been signed prior to the publication of the PIP framework paper (June 25, 1981). Costs or expenses incurred under such agreements are said to be grandfathered, that is to say, not subject to adjustment.

## Grandfathering: Net and Gross Interests

Where the applicant's working interest is encumbered by a net or gross interest, the applicant, in determining his net working interest percentage, is exempt from applying a reduction factor against his working interest if the net or gross interest encumbrance was created pursuant to a written agreement entered into on or before October 28, 1980. (Regulations, 25(2)(a))

## Grandfathering: Eligible Costs or Expenses

Eligible costs or expenses incurred pursuant to a written agreement signed on or before October 28, 1980 are not subject to adjustment. This grandfathering provision does not apply to eligible penalty expenses. The eligible costs or expenses must also be incurred prior to January 1, 1987. (Regulations, 32(6))

## Grandfathering: Ineligible Costs or Expenses

Eligible costs or expenses incurred by an applicant may be adjusted as a result of the sharing of a number of non-eligible costs or expenses (equipping, post-equipping, acquisition and maintenance). An applicant need not adjust his eligible costs or expenses in accordance with the adjustments relating to non-eligible expenses if the eligible costs or

## Part II PIP Concepts and Criteria

expenses were incurred pursuant to a written agreement signed on or before June 25, 1981. The eligible costs or expenses must also be incurred prior to January 1, 1987. (Regulations, 35(1)(a))

Note that an agreement will lose its grandfathered status if:

- any of the parties to the agreement have changed;
   or
- the rights, benefits or obligations of an applicant availing himself of the grandfather provisions have materially changed. (Regualtions, 21(5))

## SAFEHAVENING (CANADIAN CONTENT)

In situations where agreements do not result in "leakage" of PIP benefits to low(er) COR persons and/or non-Canadians, no adjustments are necessary. Costs or expenses incurred in these types of situations are safehavened.

## Safehavening: Net or Gross Interests

In the determination of a net working interest percentage, net or gross interests encumbering an applicant's working interest are safehavened (i.e., not treated as reduction factors) if they are held by approved holders.

# ELIGIBLE EXPENSES: GENERAL CANADIAN CONTENT PROVISION

No adjustment will be made to eligible expenses if at the time the eligible expenses are incurred the applicant holds, or is earning, a working interest in a net working interest land area, and:

- the applicant's net working interest land area is equal to, or greater than, the minimum land block for that area;
- no reduction factor applies to the applicant's working interest; and
- all working interest holders in the net working interest land area are approved holders. (Regulations, 32(2))

## ELIGIBLE ASSET COSTS: GENERAL CANA-DIAN CONTENT PROVISION

No adjustment will be made to eligible asset costs incurred on a project if at the time the eligible asset cost is incurred:

- the applicant holds a working interest in the relevant net working interest land area and no reduction factor applies to his working interest; and
- every person who owns, or is entitled to earn, an operating interest in the project and every person who owns, or is entitled to earn a working interest in the net working interest land area is an approved holder. (Regulations, 32(3))

Approved Holder for Canada Lands: A Canadian-controlled person having a COR within the same range, or a higher range, than that of the applicant.

Approved Holder for Provincial Lands: A Canadian-controlled person having a COR of 50% or more.

# ELIGIBLE COSTS AND EXPENSES: CANADIAN CONTENT FOR DURATION OF AGREEMENT PROVISION

The PIP program recognizes that a person may wish to structure a deal so as to safehaven all costs and expenses incurred under an agreement for the life of that agreement. PIP has, therefore, a provision for safehavening costs or expenses for the life of an agreement provided certain conditions are met.

Safehavening for the duration of the agreement looks at two points in time: the time the agreement was entered into; and, the time the expenses were incurred. The conditions which must be met to safehaven costs or expenses for the duration of an agreement relate to these two points in time.

Eligible costs or expenses safehavened for the life of an agreement must satisfy the following conditions:

- At the time the applicant entered into the agreement which resulted in the incurrence of eligible expenses or costs, or on January 1, 1981, whichever is later, the applicant must meet the conditions listed under Eligible Expenses: General Canadian Content Provisions. The one modification under the Eligible Expenses: General Canadian Content provision is the reference to "net working interest land area" which is changed to "area of lands subject to the agreement."
- Between the time the applicant entered into the agreement (or January 1, 1981) and the time the eligible expenses or costs are incurred nothing must have happened within the control of the applicant, to contravene the conditions listed under Eligible Expense: General Canadian Content provision.

Therefore, for both eligible costs and expenses, if an applicant meets the general safehavening requirements at the time an agreement is signed (or January 1, 1981) and does nothing that would contravene those requirements between that time and the time costs and expenses are incurred, all costs and expenses incurred under that agreement will be safehavened. (Regulations 32(4)(5))

# ELIGIBLE PENALTY EXPENSES AND ELIGIBLE EXPENSES INCURRED UNDER A UNIT AGREEMENT: CANADIAN CONTENT FOR DURATION OF AGREEMENT PROVISION

Eligible penalty expenses and eligible expenses incurred under a unit agreement may be safehavened under the Duration of Agreement provision. The conditions which must be met for this safehavening to occur are the same as those for eligible costs and expenses under the Canadian Content for the Duration of an Agreement provision.

# ELIGIBLE COSTS/EXPENSES SUBJECT TO ADJUSTMENT

Where an applicant incurs eligible costs or expenses and they are not exempted from adjustment, he may have to adjust downward his eligible costs or expenses. In any case, he will have to put his eligible costs and expenses through the various applicable adjustment formulae. However, prior to the applicant must first determine his working interest percentage(s) and his net working interest percentage(s).

## Determination of Working Interest Percentage

A working interest is an undivided interest in oil or gas rights.

A net working interest land area (NWILA) consists of a surface area of contiguous land in which an applicant owns or has the right to acquire a working interest in at least one underlying zone. It must also include the well site and must be:

- centered for the purpose of adjusting eligible exploration expenses on Canada lands;
- for the purpose of using the farm-in formula, a tract that the applicant has not included in a NWILA relating to eligible expenses of another well for which a PIP application has been made;
- for the purpose of adjusting any earning expenses, a tract in which the applicant earns ownership of a working interst by incuring earning expenses;
- for the purpose of adjusting eligible asset costs, the land to which the tertiary recovery project pertains;
- for the purpose of eligible expenses incurred under a unit agreement, the unit tract to which the eligible expenses are allocated.

An applicant may select the size of a net working interest land area.

Where an applicant's working interest in a net working interest land area or penalty land area varies between, or excludes, tracts, zones, oil or gas, a separate working interest percentage must be determined for the working interest in respect of each tract or zone, and in respect of oil or gas. (Regulations, 23(1))

The working interest percentage of an excluded zone is zero unless:

- rights to excluded zone are retained by Her Majesty or a freehold owner, or
- the excluded zone is believed capable of commercial production prior to the applicant entering into the agreement pursuant to which his working interest is acquired, or will be acquired, or
- the base of the excluded zone is below the depth to which a well has been drilled or has been agreed to be drilled to earn ownership of the working interest. (On Canada lands where a well is drilled or has been agreed to be drilled to 4,000 metres or more the working interest must include all zones.) (Regulations, 23(2)(3)(4))

The working interest percentage of an excluded substance (oil or gas) is zero unless:

- the other substance is included in the applicant's working interest; and
- the rights to the excluded substance are retained by the Crown or a freehold owner. (Regulations, 23 (2)(5))

Where a working interest percentage with respect to an excluded zone or substance would have been zero if it had not been for the satisfaction of the exception criteria, a working interest percentage with respect to that excluded zone or substance does not exist for the purpose of the determination of net working interest percentage.

If a right exists at the time an eligible expense is incurred in respect of which a working interest percentage determination is relevant, that would reduce the working interest of the applicant, if exercised, the working interest percentage will be determined as if the right had been exercised except where:

## Part II PIP Concepts and Criteria

- the right is created by a governmental authority,
- the right is contingent upon an event that could not reasonably be expected to occur, or a circumstance beyond the control of any person other than the owner of the working interest to which the right pertains,\*
- the right arises from a security interest,\*
- a right of first refusal provides for an exercise price equivalent to fair market value at the time the right is exercised.
- the right is owned by an approved holder. (Regulations, 23(6)(7))
- \* These exceptions do not apply where the acquisition of the right under the agreement does not provide for an exercise price at fair market value.

## Determination of Net Working Interest Percent-

After an applicant has determined his working interest percentage(s) within his net working interest land area, or penalty land area, he must next determine his net working interest percentage(s) for that same land area. In cases where more than one working interest percentage exists he must determine a net working interest percentage for each, calculated in the following manner:

Total of all working interest percentages in land area 100%

Total of reduction factors encumbering applicant's working interest percent-

Adjustment factor 100 - R

Applicant's working interest percentage in land area WIP

Applicant's net working interest per- WIP (100 - R) centage in land area

Where there is more than one net working interest percentage pertaining to a net working interest land area, it is the lowest net working interest percentage that is used for the purpose of the adjustment formulae. (Regulations, 24(1))

Following the determination of net working interest percentages, an applicant must then apply the various pertinent adjustments to his eligible costs or expenses.

# Adjustment: Insufficient Net Working Interest Percentage

The applicant must adjust his eligible expenses downward where he holds, or is earning, an insufficient net working interest percentage.

#### • Farm-in

If the expense percentage is greater than two times the net working interest percentage, an applicant's eligible expenses are adjusted downward (Regulations, 37 (1)). The formula is:

$$A = E \times 2(\underbrace{NWIP}_{EP})$$

A = adjusted eligible expenses E = unadjusted eligible expense F = factor NWIP = net working interest percentage EP = expense percentage

## • Straight-Up

If the expense percentage is greater than the net working interest percentage, an applicant's eligible expenses are adjusted downward (Regulations, 36, 37 (3)(4)). The formula is:

$$A = E \times \frac{NWIP}{EP}$$

## • Delineation (earning)

If the expense percentage is greater than 10 times the net working interest percentage, an applicant's eligible expenses are adjusted downward (Regulations, 37 (2)). The formula is:

$$A = E \times 10 \ (\underline{NWIP})$$

## Adjustment: Insufficient Land Area

An applicant must adjust his eligible expenses downward where he holds, or is earning, a working interest in an insufficient land area (Regulations, 36, 37, 39, 40), The formula is:

$$A = E \times \underbrace{NWILA}_{MLB}$$

A = adjusted eligible expenses
E = unadjusted eligible expense

NWILA = net working interest land area

MLB = minimum land block

## Adjustment: Deficiency in Penalties

Penalty expenses may be adjusted downwards if the non-participating party does not incur a penalty of appropriate severity.

## · On Canada Lands

If a production penalty is acquired, the non-participating party must incur a penalty production percentage of 500 or more and it must be acquired pursuant to a written agreement entered into on or before October 28, 1980. (Regulations, 38(a))

If the production penalty is less than 500%, the eligible penalty expenses are adjusted using the following formula:

APE = UPE x 
$$\frac{PP - 200\%}{400\%}$$

APE = adjusted penalty expense UPE = unadjusted penalty expense PP = production penalty

If the production penalty is acquired pursuant to an agreement entered into after October 28, 1980, the eligible penalty expenses are reduced to zero.

If a penalty working interest is acquired, the penalty net working interest percentage in respect of the penalty land area must be equal to or greater than 50% of the penalty expense percentage, and the penalty land area must be equal to or greater than 9 sections as determined by section 7 of the Canada Oil and Gas Land Regulations. If this is not the case, the eligible penalty expenses are adjusted to zero. (Regulations, 38(b))

#### · On Provincial Lands

If a production penalty is acquired, the non-participating party must incur a production penalty percentage of 300 or more. If the production penalty percentage is less than 300, the eligible penalty expenses are adjusted using the following formula:

$$APE = UPE \times \underline{PP - 100}_{200}$$

If any other penalty is acquired, the eligible penalty expenses are reduced to zero. (Regulations, 41)

Penalty Land Area: A penalty land area is a surface area of land in which the applicant earns a penalty working interest in respect of at least one underlying zone. It must include the well site. The applicant may select the size of a penalty land area.

# Adjustment: Sharing of Non-Eligible Expenditures

The applicant's eligible expenses may be adjusted downwards as a result of the sharing of certain non-eligible expenditures.

# Adjustment: Equipping or Post-Equipping Expenditures

If the applicant's equipping or post-equipping expenditure percentage exceeds his net working interest percentage in the relevant net working interest land area, his eligible expenses are adjusted to zero. This rule does not apply to equipping expenditures in an earning situation on provincial lands. (Regulations, 33(1)(2)(3))

When calculating the net working interest percentage for the purpose of this adjustment, reduction factors are only taken into consideration where net or gross interests are held by the owner of a working interest in the net working interest land area or held by a person not dealing at arm's length with a working interest owner. (Regulations, 24(4))

## Adjustment: Acquisition Expenditure

A situation may arise whereby a farmee upon entering into a farm-out agreement, agrees to reimburse a farmor for expenditures he incurred prior to the farm-out agreement. This type of arrangement may result in an adjustment to the eligible expenses of the farmee incurred after the signing of the farm-out agreement.

Generally, for this type of situation all acquisition and maintenance expenditures (i.e., reimbursed expenditures) must be deducted dollar for dollar from the farmee's eligible earning expenses prior to the application of any other adjustment. This dollar for dollar deduction does not, however, apply if the reimbursed amount does not exceed the percentage share of eligible expenses borne by the farmee multiplied by the total eligible expenses incurred by all persons other than the applicant prior to the farm-out.

For the purpose of this adjustment, total eligible expenses incurred by all other persons are net of any PIP incentive, reimbursement or other payment received, or receivable, by or to those persons.

Note that eligible expenses of all persons other than the farmee are defined as eligible exploration expenses and eligible development expenses without reference to "on or after January 1, 1981" in subsections 11(1) and 10(1) of the Regulations, and

without reference to subparagraph 12(1)(a)(ii) and paragraphs 12(1)(b), 12(1)(h) or 12(1)(i).

Note also that this adjustment, as well as the adjustment relating to equipping/post-equipping expenditures, does not apply to eligible expenses incurred pursuant to a unit agreement.

## Adjustment: Eligible Asset Costs

Eligible asset costs are subject to adjustment where the applicant's operating interest in the project is not equivalent to his net working interest percentage in the lands to which the project relates and both are not equal to his cost percentage. (Regulations, 40) Eligible asset costs are adjusted using the following formula:

$$A = C \times \frac{IP}{CP}$$

 $A = adjusted \ asset \ costs$   $C = unadjusted \ asset \ cost$   $IP = interest \ percentage \ (lesser \ of \ NWIP \ or \ OIP)$   $CP = \omega st \ percentage$ 

An operating interest is an undivided interest in all of the assets that are used in a project but does not include an interest held principally for the purpose of gaining or producing gross revenue that is rent, royalty or leasing revenue.

As with working interests, if a right exists that would, if exercised, reduce an applicant's operating interest, the operating interest is determined as if the right had been exercised. The exceptions to this general rule are identical to the exceptions applied to working interests.

## Adjustment: Unit Agreements

Eligible expenses incurred pursuant to a unit agreement undergo a two stage adjustment process. First, an applicant's expense tract factor applicable to the

## Part II PIP Concepts and Criteria

eligible expense must be equal to, or less than, the production tract factor for the unit tract to which the eligible expense is allocated. If this condition is not satisfied, the applicant's eligible expenses are adjusted to zero. Secondly, where an applicant's net working interest percentage is not equal to or greater than his tract expense percentage for each respective unit tract, his eligible expenses are adjusted downward using the following formula (Regulations, 43):

$$A = E \times \frac{NWIP}{TEP}$$

A = adjusted eligible expenses
E = unadjusted eligible expenses
NWIP = net working interest percentage
TEP = tract expense percentage

A unit agreement is an agreement whereby two or more persons holding working interests in an area of land described in that agreement agree to jointly levelop and operate that area of land for the recovery of oil and gas.

The parties to the agreement also share, on a basis determined with regard to their respective working interests, the oil or gas recovered and expenditures associated with recovery. A unit agreement must be filed with, or approved by, the relevant governmental authority, where required by law.

## Adjustment: Drilling Contributions

Incentives will be paid on eligible expenses incurred in respect of a drilling contribution where:

### On Canada Lands

The person receiving the drilling contribution in respect of a well is an approved holder. (Regulations, 44)

#### · On Provincial Lands

The applicant holds a working interest in lands contiguous to the lands of the person receiving the contribution and the drilling contribution in respect of the information received does not exceed the fair market value of the right to receive the information. (Regulations, 45)

A drilling contribution is a reimbursement of an expenditure incurred in drilling a well made by a person who neither owns nor has the right to acquire a working interest in the land where the well is being drilled. The contribution is made as consideration for the receipt of information from the well being drilled and is made to a person who owns a working interest in that land containing the well. The contribution must be made pursuant to an agreement entered into prior to the well's completion.

## Adjustment: Syndicated Test Well

Incentives will be paid on eligible exploration expenses incurred in respect of a syndicated test well, only if the applicant's share of eligible exploration expenses in respect of that well is equivalent to the applicant's working interest in the accumulation being tested. (Regulations, 46)

A syndicated test well is a well located on Canada lands, not completed for the purpose of commercial production, and drilled:

- for the purpose of evaluating an accumulation of oil or gas;
- on land where some of the persons sharing in the expenditures do not have a working interest; and
- pursuant to an agreement whereby two or more persons holding a working interest in the tract agree to share the cost of the well on a basis consistent with their respective working interests.

# Adjustment: Bituminous Sands, Oil Sands and Oil Shale Deposits

Incentives will be paid on eligible exploration expenses incurred pursuant to sub-paragraph 66.1(6)(a)(iii.1) of the Income Tax Act only if the applicant's

- expense percentage in respect of those eligible exploration expenses is equal to, or less than, his undivided interest in the deposit, and
- his expense percentage in respect of those eligible exploration expenses is equal to, or less than, his share of production. (Regulations, 47)

Part III Special Circumstances

## Part III Special Circumstances

#### MINISTERIAL APPROVALS

## \$100 Million Rule

Where eligible expenses are incurred or will be incurred during a calendar year pursuant to any arrangement and the total incentives, including incentives paid under the Alberta PIP program, could be reasonably foreseen to exceed \$100million, the applicant must obtain the Minister's written approval in order to obtain any incentive above the 25% Crown Share Incentive.

An arrangement is defined as anything done pursuant to an agreement or related agreements under which a person, or 2 or more persons not dealing at arm's length, agree to incur earning expenses to earn one or more working interests from a person, or 2 or more persons not dealing at arm's length, who at the date of entering into the agreement or any of the related agreements:

- did not have an effective COR/CS certificate,
- had a COR of less than 50%, or
- · were not Canadian-controlled.

A related agreement includes two or more agreements which have been established to circumvent Ministerial approval.

In considering an application for approval, the Minister will review the current and prospective COR and CS of the persons participating in the arrangement. The Minister will also take into consideration other factors which he considers to be in the public interest.

Where the arrangement is entered into after the Act comes into force, the qualified person must obtain the Minister's written approval of the arrangement prior to the arrangement being entered into. (Regulations, 13(1)(2)(3)(4))

## Syndicated Test Well

No incentive beyond the 25% Crown Share Incentive, will be made in respect of eligible exploration expenses incurred in the drilling of a syndicated test well unless the agreement pursuant to which the well is drilled has been approved in writing by the Minister. (Regulations, 13(5))

## **Tertiary Recovery**

Tertiary recovery projects must receive Ministerial approval. Generally, a tertiary recovery project will be approved if it has qualified for the NORP EOR supplement. Ministerial approval is also necessary for the equipment that will be used in the tertiary recovery project. Equipment certification will generally be provided on a blanket basis. Specific Ministerial approval is required before any pipeline can be considered an eligible asset under PIP. (Regulations, 9(2)(3))

Applicants should submit to the PIP program a copy of their NORP EOR approval certificate, a description of the project and a listing of the equipment, and the equipment's costs, to be used. This material should be submitted in advance of any application for PIP incentives.

#### ADVANCE RULING

The applicant may request an advance ruling in cases where it is not clear how a seriously contemplated transaction will be treated pursuant to the Act and/or Regulations.

Requests for advanced rulings must be submitted in writing and provide the following:

name and address (head office and mailing);

- entity number (assigned by the COR/CS Program or PIP);
- · period to which expenses pertain;
- COR and CS (issued by the COR/CS Program);
- statement of request, providing a clear, concise statement of the issue(s); and
- analysis, providing a detailed explanation of the nature and scope of the proposed transaction, all relevant documentation and identification, if possible, of the sections, subsections, paragraphs, subparagraphs and clauses of the Act and/or Regulations relevant to the transaction.

Generally, an advance ruling is binding. However, where the details concerning the proposed transaction(s) have been misrepresented, the specifics of the transaction(s) have changed, the proposed transaction(s) does not occur within the time frame specified in the ruling or the law upon which a ruling was based changes, the advance ruling will be revoked.

A fee will be charged for advance rulings. The fee will be \$50 for each hour spent in furnishing advance rulings, with a minimum fee of \$250. This minimum fee must be remitted with the applicant's request for an advance ruling.

Requests for advance rulings may be submitted to:

Petroleum Incentives Program
Department of Energy, Mines and Resources
P.O. Box 4515, Station E
Ottawa, Ontario
K18 5B5

As well, the applicant can obtain information and any other assistance from the PIP program free of charge at the address above or by phoning (613) 996-2611.

## Land Centering Around the Well

```
73 74 75 76 77 78 79 80 81 82
         45 46 47 48 49 50 83
71 42 21
         22
            23 24 25
                     26
70 41 20
             8
                9 10
                      27
                     28
69 40 19
             1 2 11
                         53 86
             4
                3 12
                      29
68 39 18
                         54 87
67 38 17 16 15 14 13 30 55 88
66 37 36 35 34 33 32
                     31
65 64 63 62 61 60 59 58 57 90
100 99 98 97 96 95 94 93 92 91
```

Clockwise numbering of sections surrounding the intersectional point of survey lines nearest the well. Section 1 identifies the section in which the well is drilled. Section 2 may be North, South, East or West of Section 1.

## Canadian Ownership Rate (COR) Table

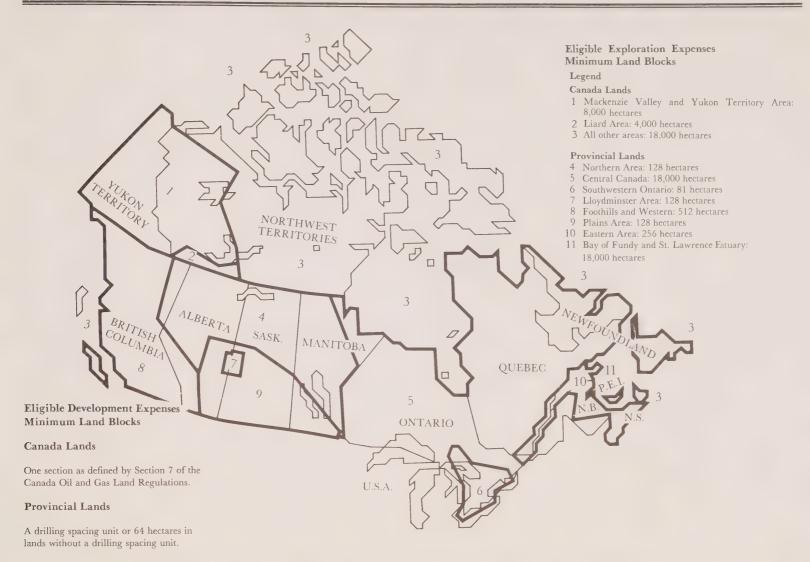
	Range 1*	Range 2	Range 3	Range 4		
	%	%	%	%		
1981	less than 50	50 or more	60 or more	65 or more		
1982	50	50	61	67		
1983	50	50	62	69		
1984	50	50	63	71		
1985	50	50	64	73		
1986 or late	er 50	50	65	75		

<sup>\*</sup>Range 1 refers to applicants who have COR's of less than 50% or who are not Canadian controlled.

## Percentage Levels of Incentive Payments for Oil and Gas Exploration and Development

	Provincial Lands				(	Canada Lands			
	Level				_	Level			
	1	2	3	4	1	2	3	4	
	%	%	%	%	%	%	%	%	
Exploration	_				_			_	
1981	nil	nil	25	35	25*	* 35*	*65*	*80*	
1982	nil	10	25	35	25	45	65	80	
1983	nil	10	25	35	25	45	65	80	
1984	nil	15	25	35	25	50	65	80	
1985	nil	15	25	35	25	50	65	80	
1986	nil	15	25	35	25	50	65	80	
Development									
1981	nil	nil	15	20	nil	nil	15	20	
1982	nil	10	15	20	nil	10	15	20	
1983	nil	10	15	20	nil	10	15	20	
1984	nil	10	15	20	nil	10	15	20	
1985	nil	10	15	20	nil	10	15	20	
1986	nil	10	15	20	nil	10	15	20	
Asset Costs									
1981	nil	nil	15	20	nil	nil	15	20	
1982	nil	10	15	20	nil	10	15	20	
1983	nil	10	15	20	nil	10	15	20	
1984	nil	10	15	20	nil	10	15	20	
1985	nil	10	15	20	nil	10	15	20	
1986	nil	10	15	20	nil	10	15	20	

<sup>\*</sup> The 25% Crown Share Incentive \*\*Includes the 25% Crown Share Incentive.



## Designated Banks

Royal Bank of Canada 90 Sparks Street Ottawa, Ontario

Bank of Nova Scotia 125 Sparks Street Ottawa, Ontario

Toronto Dominion Bank 106 Sparks Street Ottawa, Ontario

Canadian Imperial Bank of Commerce 119 Sparks Street Ottawa, Ontario

Mercantile Bank of Canada 350 Sparks Street Ottawa, Ontario

Bank of Montreal 114 Wellington Street Ottawa, Ontario

Continental Bank of Canada 161 Bank Street Ottawa, Ontario

National Bank 240 Sparks Street Ottawa, Ontario

## **Detailed Expense Summary**

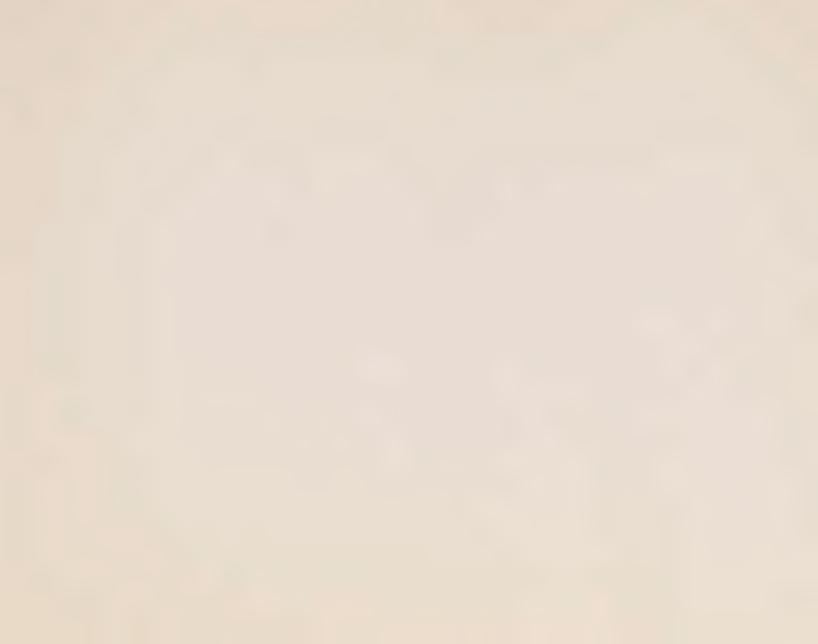
INTANGIBLE DRILLING EXPENSES
Location - Preparation/Construction Expenses  Move In/Move Out kilometers @  \$/kilometer Rig Up/Rig Out Drilling Expenses - Meterage Basis m @  \$/meter - Day work day @  \$/day - Turnkey
Boiler and Water Fuel
Camp and Catering         days @ \$/day           Casing-Surface         meters ofmm           f        kg/m @ \$/meter
Casing Accessoires-Surface Cement and Services – Surface
Casing – Intermediatemeters  ofmm ofkg/m @ \$/meter  Casing Accessories – Intermediate
Orilling Bits Mud, Chemicals, Additives Equipment Rentals – specify
Logging – specify Coring – meters Drilling Store Tooks
Orilling Stem Tests Fransportation Treight and Hauling
Well Site Supervison

Insurance
Well Survey
Fishing Expenses
Drilling Overhead
Other Expenses – specify
Offshore Costs
Drilling vessel Positioning
Diving Service
Weather and Iceberg Surveillance
Supply Vessel Use
Other Expenses – specify

### INTAGIBLE COMPLETION EXPENSES

Service Rig/Rig Completion\_\_\_\_\_days @ \$\_\_\_\_/day
Casing-Production\_\_\_\_\_ meters of\_\_\_\_ mm of \_\_\_\_kg/m @ \$\_\_\_\_/meter
Casing Accessories - Production
Well Site Supervision
Treating and Stimulation - specify
Perforation
Production Tests - specify
Squeezes and Plugs
Wireline Services
Transportation
Freight and Hauling
Location Clean-up
Drilling Overhead
Other Expenses - specify







CA1

# APPLICANT'S GUIDE PETROLEUM INCENTIVES PROGRAM JULY, 1982

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## **ERRATA**

INT	RODUCTION:	PAGE
1.	Telex number of the Petroleum Incentives Program in Ottawa is 053-3729.	1
PAI	RT I — PIP FORMS:	
1.	Summary: Application Procedures: Under "Syndicated Test Well", the word (threshold)should be beside PIP-03.	8
PAI	RT II — PIP CONCEPTS AND CRITERIA:	
1.	Adjustment: Deficiency in Penalties: The formula for "Canada Lands" should read:	50
	APE = UPE × PP-100% 400%	





## INFORMATION KITS CAN BE OBTAINED AT THE FOLLOWING LOCATIONS

#### British Columbia

Ms. Joyce Kennedy Regional Information Officer Energy, Mines and Resources Malborough Mall 5021 Kingsway, 3rd Floor Burnaby, British Columbia V5H 2E5 (604) 524-7222/24

#### Yukon

Mr. Mel Orecklin Director, CREB Energy, Mines and Resources 2078 Second Avenue Whitehorse, Yukon YIA 1B1

(403) 668-2828

#### Alberta

Mr. G.W. Jerry Bartram Director Public Affairs 430 MacDonald Place 9939 Jasper Avenue Edmonton, Alberta T5J 2W8 (403) 420-4109

#### Alberta

(403) 231-4488

Mr. Ross Hicks Regional Information Officer Communications Liaison Energy, Mines and Resources Room 622 220 4th Avenue South East P.O. Box 2918 Station 'M' Calgary, Alberta T2P 3M2

#### Northwest Territories

Mr. Jim Cuming
Director, CREB
Energy, Mines and Resources
Precambrian Building
4922 - 52nd Street
Yellowknife, N.W.T.
XOE 1HO
(403) 920-8475

#### Saskatchewan

Mr. Dan Ferguson Regional Information Officer Energy, Mines and Resources S.J. Cohen Building 7th Floor 119 - 4th Avenue Saskatoon, Saskatchewan S7K 5X2 (306) 665-4519/32

#### Manitoba

Mr. Robert Deslauriers Information Officer Energy, Mines and Resources 112 Osborne Avenue, S. Winnipeg, Manitoba R3L 1Y5

(204) 949-4266

#### Ontario

Mr. Robert F.J. Shannon Regional Director Energy, Mines and Resources 6th floor 55 St-Clair Avenue, E. Toronto, Ontario M4T 1M2

(416): 966-5814 or 966-5679

#### Québec

Mr. Jean-Louis Bibeau Regional Information Officer Energy, Mines and Resources 605 Dorchester Blvd., West Ground Floor Montréal, Québec H3B 1P4

(514) 283-5644/45

Mireille Gauthier Chief Public Affairs Regions 1535 Chemin Ste-Foy Québec, Quebec GlS 1V6

(418) 694-7052

#### Nova Scotia

Mr. Jean Garneau
Director Public Affairs
Atlantic Region
Energy, Mines and Resources
Bank of Montreal Tower, 5th Floor
5151 George Street
Halifax, Nova Scotia
B3J 1M5
(902) 426-8606/8607

Mr. Gaston Emond Regional Information Officer Energy, Mines and Resources Bank of Montreal Tower, 5th Floor 5151 George Street Halifax, Nova Scotia B3J 1M5 (902) 426-8600

#### New Brunswick

Mr. Jean Saint-Cyr Regional Information Officer Energy, Mines and Resources 835 Champlain Street Dieppe, New Brunswick E1A 1P6

(506) 388-6070

#### Prince Edward Island

Mr. Norman Hall Director, CREB Energy, Mines and Resources Watefront Shopping Centre 98 Water Street Summerside, P.E.I. ClN 1A8

(902) 436-7283

#### Newfoundland

Mr. Bill Hickey Regional Information Officer Energy, Mines and Resources Atlantic Place, 7th Floor 215 Water Street St. John's Newfoundland AlC 6C9

(709) 737-5464

Summarize eligible expenses from all FORMS PIP-02, PIP-03 or PIP-05 and calculate amount payable *for each well or unit* by multiplying the eligible expenses after adjustment by the applicable incentive rate. If insufficient space, attach additional calculation sheets—FORM PIP-01 (2).

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A — Canada Lands	INDICATE PERIOD COVERED BY THIS APPLICATION	FROM	YY	MM	DD	то	YY	MM DD	ENTITY NUMBER		DEPARTMENT	TAL USE ONLY	1 1
UNIQUE WELL IDENTIFIER OR UNIT NAME (From applicable FORM PIP-0: FORM PIP-03 or FORM PIP-0	PRIOR APPROVAL AND/OR ADVANCE RULING GIVEN (From line 11 of FOR GIVEN (From line 22 or applicable)  PRIOR (From line 20 or for FORM PIP-(From line 12) FORM PIP-(From line 12)	or 15 ·02) RM PIP-03) or 16	(From	ELIGIBL AFTER A I line 15 I line 11 I line 24 I line 17	ADJUS of FO	ORM PI	T IP-02) IP-03) IP-15)	(Appe	NTIVE ITE ndix 3 uide)	\$	AMOUN	NT PAYABLI	Ξ
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(Enter on line 04 of FORM PIP-01)

(From line 04 on reverse)

Total Development Incentive (Total of lines 08 and 09)

or

tach additional calculation sheets -			Lvor	1414	20		101		CONT NUM	BER	- COD 05-	ACTIVITATE NO.	101 Ohl	
B — Lands Other Than Canada Lands	INDICATE PERIOD COVERED BY THIS APPLICATION	FROM	YY	MM	DD	ТО	YY MN	DD	ENTI	I Y	OR DEF	ARTMENTAL	1 I	1 1
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(Enter on line 05 of FORM PIP-01)

#### CALCULATION OF ASSET COST INCENTIVE

Summarize eligible asset costs from all FORMS PIP-06 and calculate amount payable for each project by multiplying the eligible asset costs after adjustment by the applicable incentive rate. If insufficient space, attach additional

FOR DEPARTMENTAL USE ONLY CONTROL calculation sheets-FORM PIP-01 (3). MM DD MM DD FOR DEPARTMENTAL USE ONLY INDICATE PERIOD COVERED ENTITY FROM то BY THIS APPLICATION NUMBER MINISTERIAL CERTIFICATION NUMBER ELIGIBLE ASSET COSTS TOTAL ELIGIBLE INCENTIVE RATE ASSET COSTS
AFTER ADJUSTMENT AMOUNT PAYABLE (Appendix 3 in Guide) (From applicable FORM PIP-06) (From lines 08 or 09 of FORM PIP-06) (From line 17 of FORM PIP-06) \$ % = X % = % = % = % = X. % = % = % = X % = % = % = X % = X. % = % = % = X\_ % = % = % = X. % = 02 Total of Sub-total 01 eligible asset costs

Total "Asset Cost" Incentive



Summarize eligible expenses from all FORMS PIP-02, PIP-03 or PIP-05 and calculate amount payable for each well or unit by multiplying the eligible expenses after adjustment by the applicable incentive rate. If insufficient space, attach additional calculation sheets — FORM PIP-01 (1).

				FORM PIP-0	(1)
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B - Lands Other Than MM INDICATE PERIOD COVERED EROM BY THIS APPLICATION Canada Lands PRIOR APPROVAL AND/OR ELIGIBLE EXPENSES ELIGIBLE EXPENSES
(AFTER ADJUSTMENT) UNIQUE WELL (From line 15 of FORM PIP-02) (From line 11 of FORM PIP-03) (From line 24 of FORM PIP-15) (From line 17 of FORM PIP-05) (From lines 11 or 15 of FORM PIP-02) OR UNIT NAME ADVANCE RULING GIVEN (Check, if applicable) (From line 11 of FORM PIP-03) (From applicable FORM PIP-02 FORM PIP-03 or FORM PIP-05) (From line 02 or 16 of FORM PIP-05) Total of 08 eligible expenses Add: internal overhead Total "Lands other than Canada Lands" 11 Incentive 12 (From line 04 on reverse) 13 (From line 07 on reverse) 14 Total Exploration Incentive (Total of lines 11, 12 and 13) (Enter on line 01 of FORM PIP-01)

#### CALCULATION OF EXPLORATION INCENTIVE

Summarize eligible expenses from all FORMS PIP-02, PIP-03 or PIP-05. Calculate amount payable on "Crown Share" by multiplying the sub-total of the eligible expenses by the applicable incentive rate. Calculate amount payable for each well or unit on "Other than Crown Share" by multiplying the eligible expenses after adjustment by the applicable incentive rate. If insufficient space, attach additional calculation sheets — FORM PIP-01 (1).

CONTROL. NUMBER
FOR DEPARTMENTAL USE ONLY ENTITY

A — Canada Lands	INDICATE PERIOD COVERED BY THIS APPLICATION	FROM	YY	MM	DD	то	YY MM	DD	ENTITY NUMBER	FOR	DEPARTME	NTAL USE ONL	1 1
	CROWN SHARE						OTHER	THAN C	ROWN	SHA	RE		
UNIQUE WELL IDENTIFIER OR UNIT NAME (From applicable FORM PIP-02, FORM PIP-03 or FORM PIP-05)	PRIOR APPROVAL AND/OR ADVANCE RULING GIVEN (Check, if applicable)	15 2) PIP-03)	(From (From (From	ELIGIBLE FTER AD line 15 o line 11 o line 24 o line 17 o	JUST of FOF of FOF	MENT RM PII RM PII RM PII	P-02) P-03) P-15)	INCENTIVE RATE  (Appendix in Guide		\$		INT PAYABI	Æ
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							× _		_ % :	= -			
	Sub-total of						_ × _		_ % :				
eligib	Sub-total of ble expenses		Add: in	ternal ove	erhead	d . ·		Sub-tota		\$_			05
Add: int	ternal overhead	02					_ × -		_ % =	= _			06
	Total	<sup>03</sup> <b>25%</b>			C	rown	'other th Share'' ada Lanc	Incentive	• •	\$			07
Total "Crowr Incentive—C		0 4									(Transfer to	line 13 on r	everse)

(Transfer to line 12 on reverse)

E A Francis	hat			MS	500								Govern	ment					
	Mines and Énergie, I es Canada Ressourc						Α	PPLI	CAT	ION F	OR		Public	alioni				FORM	PIP-0
Petroleu	m Incentives Program					1	PETR	OLE	UM I	NCEN	ITIVES				FOR DE	EPARTM	ENTAL	JSE ON	LY
Part A—Ider														NTROL	•				
NAME OF APPLICANT														TITY	•	!	1 1	-	-
ADDRESS (Head Office if a Corporation)					(Street	and No	.)				(City)			(Provinc	ce)	1	(Po	stal Co	ode)
MAILING ADDRESS	☐ Same as above, or			(	(Street	and No	.)				(City)			(Provinc	ce)		(Po	stal Co	ode)
LOCATION OF BOOKS AND RECORDS	Same as above, or		(	(Street	and No	.)				(City)			(Provinc	ce)		(Postal Code)			
LEGAL STATUS	CORPORATION	TF	RUST		PARTNE	RSHIP	IN	NDIVIDU:	AL		ERIOD OF THE		T •	FROM	MM	DD	то	MM	DD
IF THIS IS A QUART	ERLY APPLICATION, COVERED			IF T	HIS IS	AN ANI	NUAL A	(PPLIC/	ATION			IF THIS I				APPLIC	CATION		
FROM	MM DD YY	мм	DD 	•	FROM		мм	DD	то	YY	MM DD	▶ F	ROM	у мм	00	то	YY	MM	DD
Part B-Discle	sure of Canadian	Own	ersh	ip an	d Co	ntrol	(Not	requi	red	for only	y a Crow	n Share	Incen	tive or	n Can	nada l	ands	3)	
	CATE NUMBER		E OF IS				OVERE				CERT	IFIED ADIAN		DIAN					
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			-		ļ							%							
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	opment (from line t Cost (from line 03					3)) —									04				06
Part D—Pavm	ent Procedure—(C	Check	k ann	ropria	ate bo	) ) )													
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	ssign \$		to					(pri	int)				per atta Crown D	ched No lebt)	tice of /	Assignn	nent		
		_																	
Part E—Forms	s Check List—(Ente	er nu	mber	of fo	rms a	ccon	npan	ying t	his a	pplica	ition)								
F	PIP-01 (1)		T	PIP	-05					PIP	-11					nents	3		
	PIP-01 (2)			PIP						PIP	-12				nd Pl				
F	PIP-01 (3)			PIP	-07					PIP.				Spec	imen	Sign	ature	Card	2
	PIP-02			PIP						PIP.									
	PIP-03			PIP						PIP.									4
	PIP-04			PIP	-10					PIP.	-16								
	Other (specify)																		4
					Se	e "C	ertific	ation	" on	rever	se								

Form prescribed pursuant to the Petroleum Incentives Program Regulations



	Cer	tification —	
I Hereby Certify that	and to the best of my information,	signing officer of the applicant knowledge and belief the application and complete and is in compliance wit	
	Name (print)	Title (if sign	ning officer)
Signature	e of Authorized Officer	Telephone No.	Date
1	—FOR DEPART Previous Incentives — — — — — — — (including interest) on Previous Incentiv	MENTAL USE ONLY— \$  Pes — — — — — — — — — — — — — — — — — — —	\$

Énergie, Mines et

## ELIGIBLE EXPLORATION OR FLIGIBLE DEVELOPMENT EXPENSES

Government Publications

FORM PIP-02

Resources Canada Ressources Canada

Petroleum Incentives Program

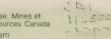
Use separate FORM PIP-02 for each well.

0	Dor	not include	interna	al overi	nead in	the well	expenses.	Internal	verhead	expenses	are to	be included o	n FORM PIP-01	(1) and (2)

If the well is a Syndicated Test Well a written Ministerial Approval is required. No approval is required for a Crown Share Incentive. FOR DEPARTMENTAL USE ONLY CONTROL NUMBER Part A-1—Identification EOD DEDADTMENTAL LISE ONLY MM SPUD DATE UNIQUE WELL ☐ EXPLORATION ENTITY ☐ DEVELOPMENT OF WELL **IDENTIFIER** NUMBER PERIOD DURING WHICH 1414 CANADA LANDS WELL EDOM EXPENSES WERE INCURRED OCATION LANDS OTHER THAN CANADA LANDS INTEREST If the working interest relates to an earning expense and the well is situated on Canada lands, has the Agreement received approval under section 52 of the Canada Oil and Gas Act? □ "Yes" "No" NET WORKING INTEREST LAND AREA TO WHICH EXPENSES RELATE TYPE OF MINERAL DISPOSITION PERMIT/LEASE NUMBER LOCATION OF LAND AREA ARFA HECTARES RIG RELEASE DATE TOTAL ANTICIPATED COST OF WELL \$ METRES DRILLED DURING PERIOD DEPTH REACHED AT END OF PERIOD PROJECTED DEPTH OF WELL NAME OF OPERATOR METRES METRES COMPLETED INDICATE OTHER ☐ ARANDONED CAPPED OIL GAS STATUS **PROGRESS** (Specify) OF WELL Note: If abandoned and there is a substitute well, complete Part A-2. If not, proceed to Part B Part A-2—Substitute Well MM DATE OF DEPTH REACHED REASON FOR ABANDONMENT **ABANDONMENT** WHEN ABANDONED METRES (If space insufficient, attach additional page(s) MM DISTANCE OF SUB-STITUTE WELL FROM SPUD DATE OF LINIOLIE WELL SUBSTITUTE IDENTIFIER ABANDONED WELL METRES WELL Part B—Breakdown of Eligible Expenses (Must be completed in all cases) — Exclude Canadian Exploration and Development Overhead Expenses (Attach Detailed Cost Summary as outlined in the Applicant's Guide) Earning or Acquired Expenses Applicant's Total Eligible Applicant's Expenses of Expenses Expenses \$ 01 % Intangible drilling expenses – 0.2 Abandonment expenses – – – X % 03 X % Intangible completion expenses n a % - Other (specify) 05 Total **Total** Penalty Expenses 06 - Intangible drilling expenses - - -0.7 % Abandonment expenses — — — — — X 0.8 % Intangible completion expenses — — — 0.0 % Other (specify) 10 Total **Total** 11 Total Eligible Expenses (Total lines 05 and 10) (If expenses relate to Crown Share only, enter amount on FORM PIP-01(1), Note: Do any of the above expenses include charges incurred in a non-arm's length transaction? NO. If "YES", provide details on a separate sheet of paper. Consult the YES [ otherwise enter on line 13 on reverse.) Applicant's Guide



Part C—Expenses No. (1) Complete this part (Check applicable box)	if applying			ents un	der a	Canadia	an Con	atent provision.
		e general Canadiar e 12 below)	Conten	t provi	sion	(Comple	te and	attach FORM PIP-13 and
[] Exception	under the	e Canadian Conten	t for the	duration	on of	an agree	ement	provision (Refer to questions below)
duration o If "yes", do If "yes", ind	the agree	reviously applied for ement provision? enses in this applica e period to which FO parts of FORM PIF	☐ YE ation rela	es cate to the control of the contro	No nat ag	greemer	t?	MM DD TO YY MM DD
		Eligible E the Canad					\$	12
(2) Complete this part October 28, 1980		g for exception to a	adjustme	ents un	der a	written	agreer	ment entered into on or before
DATE AGREEMENT PYY ENTERED INTO	MM DD	PERIOD COVERED BY AGREEMENT	FROM	MM	DD	то	MM	DD WAS THIS AGREEMENT AMENDED AFTER OCTOBER YES NO 28, 1980?
		ses incurred und	er a writ	ten ag	reen	nent	(Fro	om line 11 on reverse)13
	e "Expenses	Subject to Adjustments" (I	ot Subje	ect to A	djus	stments	(Total	of lines 12 and/or 14)
Post-Equi Lowest No Note—If Equipping or	Expendi pping Exp et Workin	ture Percentage (£ penditure Percenta g Interest Percenta	Except for ge — — — — — — — — — — — — — — — — — —	or earr mplete ntage e	and excee	Attach Feds the L	ORM I	t Net Working Interest zero.
(2) Break down the "1	Total Expe	·						
by the appropriate  (a) Earning Expenses	categori	es below.		·		,	-15	Expenses Subject to Adjustment
Part B(1) (a), (b) a (b) Acquired Expense	and (c)) - es (Compl	ete and attach FOF	 RM PIP-	·				(Enter on line 01 or 09 of FORM PIP-15)
FORM PIP-15 Par (c) Penalty Expenses FORM PIP-15 Par	(Comple		M PIP-14					(Enter on line 09 of FORM PIP-15)
(d) Syndicated Test V FORM PIP-15 Par	Vell (Com	plete and attach						(Enter on lines 13, 18 or 21 of FORM PIP-15)  (Enter on line 19 of FORM PIP-15)
			Total	(Must	agree	with am	ount c	on line 16) —



#### **ELIGIBLE EXPLORATION OR** FLIGIBLE DEVELOPMENT EXPENSES



FORM PIP-03

• Use se	eparate FORM PI	P-03 for each v	vell.		(SHC	ORT FO	RM)					
• Do not	include internal of	overhead in the v	vell expen	ses. Internal	overhead exp	enses						
are to	be included on F	FORM PIP-01 (	) and (2).						OR DEPARTM	ENTAL USE C	NLY	
	s a Syndicated T				s required.			CONTROL NUMBER	<b>&gt;</b>			
No app	proval is required	for a Crown Sha	re Incentiv	e.				ENTITY	OR DEPARTM	ENTAL USE C	NLY .	
	Identification_		DEDIOD DI	DINIO MILITORI	l yy	MM DD	TVV	NUMBER MM DD	1 400110	11170	1	_
UNIQUE WEL			EXPENSES INCURRED	RING WHICH WERE	FROM	MINI DD	ТО	NINI DD	APPLIC WORKI INTERE	NG		%
	king interest related to the Cartest of the Cartest					Canada		s the Agre	eement	received	appr	oval
TYPE OF WELL	EXPLORATION	DEVELOPMEN	r WELL LOCAT		NADA LANDS NDS OTHER THAN (	CANADA L	ANDS	SPU DAT OF		▶ YY	MM	DD
			ORKING INT		AREA TO WHICH	EXPENSE						
	TYPE OF MINER	AL DISPOSITION		PERMIT/LE	ASE NUMBER		LOCATION OF	LAND AREA		,	REA	
											HEC	CTARE
RIG RELEASE	DATE	YY	MM DD	TOTAL ANTIC	PATED COST OF W	ELL.		\$				
METRES DR	ILLED DURING PERIOD	DEPTH REACHED AT E	ND OF PERIOD	PROJECTED DEP	TH OF WELL	NAME OF	OPERATOR					
			METRES		METRES							
INDICATE STATUS OF WELL	☐ ABANDONE	ED CAPPED	OIL	OMPLETED GAS	□ IN PROGRE	SS	OTHEF (Specif					
	Breakdown of B and Developmen (Attach Detailed)	t Overhead Exp	enses			ises) —	- Exclude	Canadia	an Expl	oration		
	`											
Earni	ing or Acquired E	xpenses	\$	Total Eligible Expenses	Applicant's Percentage of Expenses			oplicant's xpenses				
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		T	ntal			Total			•			4.1

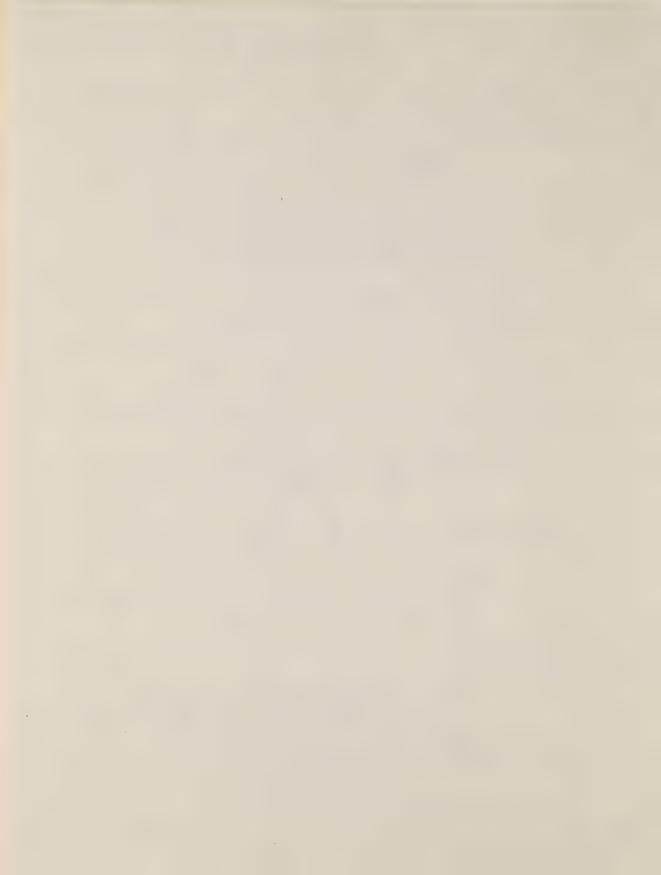
Note: Do any of the above expenses include charges incurred in a non-arm's length transaction?  $\ \square$  "Yes"  $\ \square$  "No". If "Yes", provide details on a separate sheet of paper. Consult the Applicant's Guide.

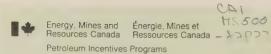
Total Eligible Expenses (Total lines 05 and 10)

Form prescribed pursuant to the Petroleum Incentives Program Regulations

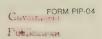
Enter this amount on FORM PIP-01 (1) or (2)

111





## CALCULATION OF EXPLORATION INCENTIVES RELATING TO GEOPHYSICAL, GEOLOGICAL AND/OR GEOCHEMICAL PROGRAMS



• Complete this form only if the geophysical, geological or geochemical expenses were not incurred incidentally to or in the

	the drilling of	a particu	iai weii										CONTROL NUMBER	DEPART	MENT	AL USE	ONLY	
		PERIOD D EXPENSE		HICH INCURRED	D FRO	М	MM	DD	то	YY	MM	DD	ENTITY NUMBER				1	1
	gram Produ	ced by	Applic	ant OF	R by a C	ontra	ctor f	or A	ppl	ican	t							
ogram 1	PRODUCED BY	•	☐ AF	PPLICANT	Г	[	CONT	TRACT	OR (If	the app ovide d	olicant letails b	is a memb below.) *	per of a group,					
	TYPE OF PROGRAM	•	GI NO. OF K	EOPHYSIC	CAL	[	GEOL	_OGIC/	\L			☐ GE	EOCHEMICAL		RE	PROC	ESSIN ETATI	G/ ON
	AUTHORIZATION NUMBER	•										NC	OTE: If no authorization technical progress be included.	numbe report	r, a must	t		
	DATE PROGRA	M Þ Ý	MM		OCATION TO PROGRAM RI			•		CAN		OR	PROVINCE OF					
	Data Prod Interpreta Other (sp	ation — — pecify) <u>—</u>		Total	I Eligible	Prog	ıram E	Expe	nses	e of			03 04 05 Expenses				— <sup>06</sup>	
gram 2	PRODUCED BY	<b>)</b>	AF	PPLICANT	Г	- % - - % -			OR (If	the app	olicant i	is a memb			REPROCES INTERPRET	_		
	TYPE OF PROGRAM	<b>&gt;</b>	GE NO. OF K	EOPHYSIC	CAL		GEOL	.OGICA	\L			☐ GE	OCHEMICAL		REI	PROC	ESSIN ETATI	G/ ON
	AUTHORIZATIC NUMBER	ON •										NC	TE: If no authorization technical progress be included.			!		
	DATE PROGRAI BEGAN	M Þ Y	MM		OCATION TO			•		CAN		OR	PROVINCE OF					
	Eligible Pro Data Colle Data Prod Interpreta Other (sp	ection/Fi cessing/I ction	eld Inve _aborat	estigation	ıdies – –						5		07 08 09 10 11					
					Арі	olicar	nt's To	otal S	har	e of	Elig	ible E	xpenses				= 12	
	* If a member o	of a group,	list name	es of othe	er participan	ts shar _ %						rcentag						

Form prescribed pursuant to the Petroleum Incentives Program Regulations





#### Part B - Purchased by Applicant

• To be used for purchases on both Canada Lands and lands other than Canada Lands.

Purchase 1	TYPE OF PROGRAM		GEOPHYSICAL OF KM		☐ GEOLOGICAL		☐ GEOCHEMIC	AL		
	VENDOR'S AUTHORIZATION NUMBER	•				DATE VENE PROGRAM		YY	MM	DD
	LOCATION TO WHICH PROGRAM RELATES		CANADA LANDS	OR	PROVINCE OF					
	NOTICE OF FIRST ELIGII (Required only for purchases			(FORM PIP-12)			Written notice provided to (Canada Lar	the Mini	ster.	
	Eligible Expenses—	Purch	nase Price paid by	/ applicant	\$		13			
Purchase 2	TYPE OF PROGRAM	_	GEOPHYSICAL		GEOLOGICAL		☐ GEOCHEMIC	AL		
	VENDOR'S AUTHORIZATION NUMBER	NO.	OF KM			DATE VENE		YY	MM	DD
	LOCATION TO WHICH PROGRAM RELATES		CANADA LANDS	OR	PROVINCE OF					
	NOTICE OF FIRST ELIGIB (Required only for purchases	BLE PU	PRCHASER ATTACHED other than Canada Lands.)	(FORM PIP-12)			Written notice provided to (Canada Lar	he Mini	ster.	
	Eligible Expenses— F	Purch	nase Price paid by	applicant	\$		1,4			
Purchase 3	TYPE OF PROGRAM		GEOPHYSICAL		GEOLOGICAL		☐ GEOCHEMIC	AL.		
	VENDOR'S AUTHORIZATION NUMBER	NO.	OF KM			DATE VEND		YY	ММ	DD
	LOCATION TO WHICH PROGRAM RELATES		CANADA LANDS	OR	PROVINCE OF					
	NOTICE OF FIRST ELIGIB (Required only for purchases	BLE PU	RCHASER ATTACHED other than Canada Lands.)	(FORM PIP-12)			Written notice provided to (Canada Lan	he Mini	ster.	
	Eligible Expenses—	urch	nase Price paid by	applicant	\$		15			
Canada Land	s—				\$					
			Expenses			****	16			
			Applica	able Hate (A	appendix 3 in Guide) X Total Inc		_ % \$			_17
Lands Other	Than Canada Lands-	-			\$					
			Expenses — — —		<u>-</u>		18			
				able Rate (A	oppendix 3 in Guide) X		_ % \$			19
					Total Incentives F	Payable				20

(Total of lines 17 and 19)

(Enter on line 02 of FORM PIP-01)

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Init Tract Number											
				E OF REST							INTEREST
N	IAME OF HOLDER		GROSS		INTEREST (See Note 1)		P.C. (See Note 2)		P.P. (See Note 3)		REDUCTION FACTOR
			,3,	11.	%		%		%		%
				×		×				=	
			-	×		X		÷		Ξ	
			}	×	1	×		÷			
				To	otal Inter	est	Reduction	on	Factor		
Dahaumina Blah Maukina	100%	0/			0/				0/		
etermine Net Working nterest Percentage	REDUCTION FACTOR			JUSTMENT FACTOR	- % >	<	WORKING		% = -		WORKING NTEREST
	FACTOR	1		ACTON			INTEREST			111	(IENES)
Init Tract Number											
				EREST							INTEREST
N	NAME OF HOLDER		GROSS	NET enter	(See Note 1)		P.C. (See Note 2)		P.P. (See Note 3)		REDUCTION FACTOR
			,3,	'1'	%		%	L	%		%
				×		X		÷			
				×		×		-			
			_l	X	- 4 - 1 1 - 4		Dadieki	<u>-</u>	F		
				10	otal inter	es	Reduction	m	ractor	1	
etermine Net Working	100%	% =			_ % >	<			% = -		
nterest Percentage	REDUCTI FACTO	ION		JUSTMENT FACTOR	r / /	`	WORKING		/ 0		T WORKING NTEREST
Init Tract Number								_			
mit fract Number				E OF	T			Т	1		INTEREST
4	NAME OF HOLDER		GROSS	REST	INTEREST		P.C.		P.P.		REDUCTION
			enter '3'	enter	(See Note 1)		(See Note 2)	ł	(See Note 3)		FACTOR %
				×		×		÷		=	
				×		×		÷			
				×		X		÷		=	
				To	otal Inter	es	t Reductio	on	Factor		
Determine Net Working	100%	10N =	AD	JUSTMEN	- % >	<	WORKING		% = -	NE.	r working
nterest Percentage	FACTO			FACTOR			INTEREST				NTEREST
lotes: - 1. Enter predetern	mined percentage or highes	st percenta	ge if t	the inte	erest is	cal	culated a	as	a range c	of p	percentaç
	tage of oil or gas upon which										
3. P.P. — Percen	tage of oil or gas out of whi	ch the net	or gro	ss inte	erest is p	oai	d.				
						_				_	
Part F—Calculation of Adj	usted Eligible Expenses_					_		_			
	ble expenses for each tract a	s set out bel	low. U	Init trac	ts and re	ele	vant expe	ns	es must c	orr	respond
with Part D on reverse.											
UNIT TRACT NUMBER (From Part D, col. 1)	APPLICANT'S SHARE OF EXPENSES	NET W	VORKING EREST		APPLICAN EXPENSE P	IT'S	TRACT		ADJUS EXPEN	TED	
(	(From Part D, col. 6)		n Part E)		(From Pa	rt D,	col. 5)	9			
	\$	× [		_ % -	÷		%1				
		^ [	En	ter Quotien	t 🕨						
		V F		_ % -	÷		%]	= -			
		X			B 7						
		× [	En	ter Quotien	it 🕨	-	] ]				
		× [		_ % -	+		% <mark>]</mark>				
		× [		% -	+		%  	= -			
		× [	En	% ter Quotien	t D		%     	= -			
Total Applicant's		× [	En En	ter Quotien  % ter Quotien	t D	50	%  	= -			

#### **ELIGIBLE ASSET COSTS**

Petroleum Incentives Prog  • Use separate FORM PIP-0		Coverage CONTE	
ooc separate r or twi r ir -t	70 for each project	ENTITY NUMBI	
MINISTERIAL CERTIFICATION NUMBER		DATE OF MINIS CERTIFICATION	
PERIOD DURING WHICH THE COSTS WERE INCURRED	FROM YY MM DD YY MM DD APPLICA WORKIN INTERES	G	APPLICANT'S OPERATING INTEREST %
LOCATION OF PROJECT			
Part A—Breakdown or Eli	gible Asset Costs (Must be completed in a	ıll cases)	
Cost Items (attach detailed co	ost summary)		
	Equipment		01
Installation Cost — - Other (Specify)			02
Other (Opechy)	Total Eligible Ass	et Costs	\$ 04
Part B—Costs Not Subject	t to Adjustments		
(1) If applying for exception t	to adjustments under the \$500,000 Rule, ente	r amount on line 05 below.	
(2) Complete this part and Format provision.  (check applicable books)	ORM PIP-13 —Asset Costs if applying for exce	ption to adjustments under	a Canadian Con-
☐ General Canadian	Canadian Content provision	ent for the duration of an agons below)	reement provision
Has the applicant previou agreement provision?	usly applied for exception to adjustments under \(\subseteq\ \text{Yes}\) \(\subseteq\ \text{No. If "Yes", do the costs in this}\)	application relate to that ag	greement?
☐ Yes ☐ No. If "Yes	s", indicate period to which the FORM PIP-13	applies FROM	10
If "No", complete all parts	s of FORM PIP-13 —Asset Costs.		
(3) Complete this part if apply October 28, 1980.	ying for exception to adjustments under a writt	en agreement entered int	to on or before

PERIOD COVERED BY AGREEMENT	FROM	11	IVI IVI	то	11		WAS THIS AGREEMENT AMENDED AFTER OCTOBER 28, 1980?	☐ YES	□ №	DATE OF AMENDMENT		
SUMMARIZE NATURE OF	AMEN	IDMEN	IT(S)									

List belo	ow the eligible asset costs not subject to adjustment.				
(a)	Eligible Asset Costs incurred under the \$500,000 Rule		05		
(b)	Eligible Asset Costs incurred under a				
	Canadian Content provision		06		
(c)	Eligible Asset Costs incurred under a written agreement				
	on or before October 28, 1980		07		
	Total Asset Costs Not Subject to Adjustments		\$		0
NOTE:	If the applicant has "Asset Costs Subject to Adjustments" (line 09) enter amount	nt		(Enter this amount on FORM PIP-01 (3))	

NOTE: If the applicant has "Asset Costs Subject to Adjustments" (line 09) enter amount (line 08) on line 16 on reverse.

Asset Costs Subject to Adjustments (line 04 less line 08)

(Enter this amount on line 14 on reverse)



09

(If insufficient space, attach additional documentation)

Part C—Ajustments		
Applicant's Share of Costs (CP) ————————————————————————————————————		% 10 % 11 % 12 % 13
Calculate the "Adjusted Asset Cost" using the formula below.		
\$ Asset Costs subject to adjustments (Line 09 of reverse) CP	= \$  Eligible Asset Costs after adjustment	15
*IP - is the lesser of NWIP and OIP (use the lowest NWIP as per FORM PIP-14(1))		
Total Asset Costs Not Subject to Adjustments(From line 08 on reverse)	\$	16
Total Eligible Asset Costs after adjustment (Total of lines 15 and 16)	\$ (Enter on FORM PIP-0	17

+	Energy, Mines and Resources Canada
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Énergie, Mines et Ressources Canada Petroleum Incentives Program

### CA1 M3500 -10pos

#### ELIGIBLE EXPENSES IN RESPECT OF A DRILLING CONTRIBUTION

FORM PIP-07 Government Publications

Complete separa	te FORM	PIP-07 for	each well.							FO	R DEPAR	TMENTAL	USE C	DNLY	
Part A—Identifica	ation								1	NUMBER		1			
RECEIVING CONTRIBUTION										NTITY NUMBER	•				1
BUSINESS ADDRESS	(Street a	nd No.)			(City)				(Pr	rovince)				(Postal	Code)
PERIOD TO WHICH THIS CONTRIBUTION RELATES	FROM	MM DD	TO YY MM	DD	UNIQUE WELL IDENTIFIER	<b>•</b>									
WORKING INTEREST OF THE PERSON RECEIVING CONTRIBUTION	<b>&gt;</b>	%	COMPLETION DA	ATE OF	<b>)</b>	YY	MM D	DD	DATE AGE ENTERED			<b>*</b>	YY	MM	DD
Part B—Canada L	ands (Co	omplete if	applicable)_												
Is the person receive	ing the dri	lling contri	ibution Canad	ian C	ontrolled? –							□ Y	es		10
If "Yes", indicate the	e person's	Canadian	Ownership F	late -											%
Applicant's Canadian	n Ownersl	nip Rate –								is distinsiar videoloss desilants severe					%
If the person receiving that of the applicant,	-							thin t	the same	e range	or high	ier ran	ige tl	han	
			Tota	l Elia	ible Drilling	Contr	ibution	1	\$		0.1				
				Ū						0/					
			inc	entiv	e Rate (Apper Incentive in						<b>,</b>	\$	00	-4 5001	02 4 PIP-01)
											(1	Enter on i	ne us	OT FURN	7 PIP-UT)
Part C—Lands Ot	her Thar	n Canada	Lands (Con	nplet	e if applicab	le)									
Is the applicant a be- receiving contribution		lder of a w	orking interes	st in la	ands contigue	ous to	the land	ds in	which a		drilled Yes			son	
If "Yes", provide pe	rmit or lea	se numbe	r(s) - (1) land	area	in which a w	ell is d	rilled. –				Peri	nit/Lease	Numbe	r	
					ontiguous to	he lar	ıds in w	/hich	a well		Peri	mit/Lease	Numbe	er	
			is ar	illed.											
If "No", the drilling of	ontributio	n must be	adjusted to Z	ero.											
									\$						
					ible Drilling eed fair market val		ribution	1			03				
			Inc	entiv	e Rate (Apper	ndix 3 ir	Guide)	×		%		\$			
					Incentive in	resp	ect of d	drillir	ng conti	ribution	(E	Enter on li	ne 03	of FORM	0 4 1 PIP-01)

Form prescribed pursuant to the Petroleum Incentives Program Regulations







Energy, Mines and Resources Canada Énergie, Mines et Ressources Canada

Petroleum Incentives Program



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#### STATEMENT OF RECONCILIATION

Coverant FORM PIP-08

To be completed by a Corporation which has incurred Eligible Exploration Expenses and/or Eligible Development Expenses, including expenses incurred in consideration for shares of the corporation, and/or Eligible Asset Costs.

Part A - I	ldent	ification					
NAME OF APPLICANT	•			ENTITY NUMBER	1		
MAILING ADDRESS	•	(Street and No.) (City)	·	(Province)		(Postal Co	ode)
			THIS STATEME THE FISCAL P	ENT COVERS ERIOD ENDING	<b>&gt;</b>	YY MM	DD
		nciliation of Eligible Exploration Expenses (EEE) Canadian Exploration Expenses (CEE)					
expens	ses in	oration Expenses (EEE) incurred during the fiscal year including curred in consideration for shares of the corporation pursuant aph 66.1(6)(a)(v) of the Income Tax Act			5		01
		ploration Expenses (CEE), as defined in paragraph 66.1(6)(a) of ax Act, made or incurred during the fiscal year	\$	02			
	as de Act o	ints incurred in respect of a mineral resource fined in subsection 248(1) of the Income Tax ther than a bituminous sands deposit, oil sands sit or oil shale deposit referred to in paragraph					
		ereof ————————————————————————————————————					
		ints described in subparagraph 66.1(6)(a)(iv) of come Tax Act in respect of a partnership ————————————————————————————————————					
		Ints incurred in the Province Perta ————————————————————————————————————					
		Total (lines 03, 04 and 05)		06			
		Net Canadian Exploration Expenses (line 02 minus line 06)		<b>&gt;</b> .			07
Where	the a	Variance (line) on line 01 is greater than the amount on line 07, provide explanat					08
Part C -	Reco	nciliation of Eligible Development Expenses (EDE)					
	and (	Canadian Development Expenses (CDE)					
expens	ses in	elopment Expenses (EDE) incurred during the fiscal year including curred in consideration for shares of the corporation pursuant aph 66.2(5)(a)(v) of the Income Tax Act ———————————————————————————————————			\$		09
	,				Enter on I	ne 10 on rever	

Form prescribed pursuant to the Petroleum Incentives Program Regulations

**Canadä** 

	(From line 09 on reverse)	10
Canadian Development Expenses (CDE), as defined in paragra of the Income Tax Act, incurred during the fiscal year ————		
Less: Amounts incurred in respect of a mineral resource as defined in subsection 248(1) of the Income Tax Act other than a bituminous sands deposit, oil sands deposit or oil shale deposit referred to in paragraph (c) thereof ————————————————————————————————————	\$12	
- Amounts described in subparagraph 66.2(5)(a)(iii) of the Income Tax Act in respect of a Canadian resource property — — — — — — — — — — — — — — — — — — —	13	
<ul> <li>Amounts described in subparagraph 66.2(5)(a)(iv) of the Income Tax Act in respect of a partnership — — —</li> </ul>	14	
and -Amounts incurred in the Province of Alberta	15	
Total (lines 12, 13, 14 and 15)	16	
Net Canadian Development Expenses (line	e 11 minus line 16)	17
Where the amount on line 10 is greater than the amount on line		18
art D - Reconciliation of Eligible Asset Costs and Capita	Cost of Assets	
Eligible Asset Costs incurred during the fiscal year		19
Less: Capital Cost, for income tax purposes, of eligible assets (Other than costs incurred in the Province of Alberta)	acquired during the fiscal year	20
	Variance	21
Where the amount on line 19 is greater than the amount on line	e 20, provide explanation in the space below.	
Certi	fication	
and to the best of my information, of Reconciliation is true, corre	n this statement gning officer of the Corporation knowledge and belief this Statement ct and complete and is in compliance leum Incentives Program Act and Regulations	
Name (print)	Title (if signing officer)	
Signature	Telephone No.	Date

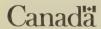
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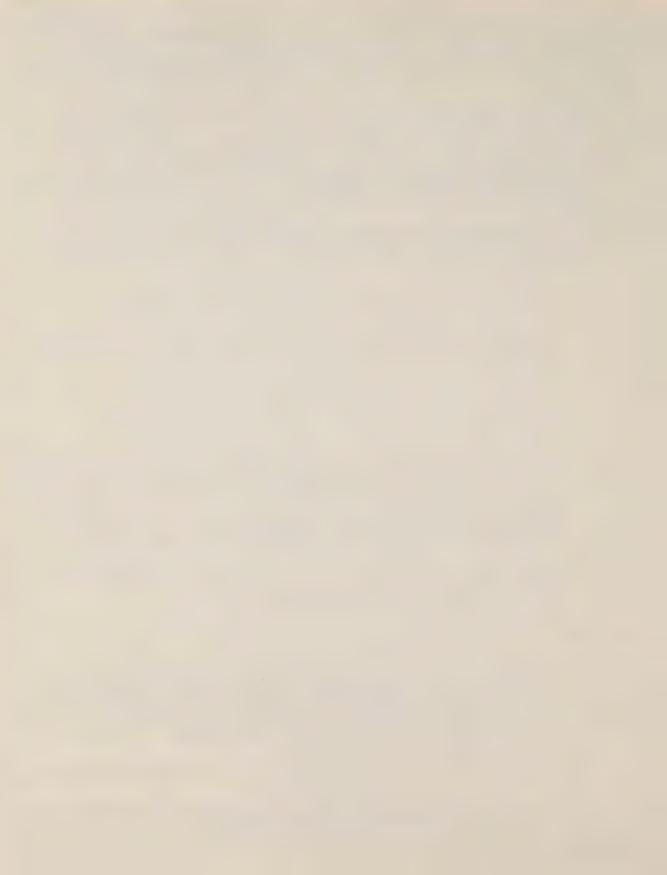
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	CHI										
Energy, Mines and Énergie, Mines et			S	TATEME	ENT C	F ADJ	USTMENT			FOR	M .PIP-09
Resources Canada Ressources Cana Petroleum Incentives Program	ida - o - p - o o				_		ere d				
						loveram	CONTROL	OR DEPAR	MENTAL U	SE ONLY	
Part A - Identification					1	- inlicati					
NAME OF APPLICANT							NUMBER	•			1
APPLICATION PERIOD TO WHICH THIS ADJUSTMENT APPLIES	<b>&gt;</b>	FROM	YY MM	DD	YY	MM	UNIQUE V UNIT NAM CERTIFICA	E/MINISTE	RIAL	WHICH	
PERIOD DURING WHICH COSTS OR EXPENSES WERE INCURRED TO WHICH THIS ADJUSTMENT APPLIES	<b>)</b>	FROM	YY MM	DD TC	YY	MM [	THIS ADJU			VVI IIOTT	
Part B - Particulars of Adjustment_		1				-					
TYPE OF ELIGIBLE EXPLORATION O			IBLE ASSET				ADJUSTMENT				
ADJUSTMENT DEVELOPMENT EXPENSE	S REVISED	COS	TS REVISED				OR REDUCTION	N FACTOR	RS REVISE	.D	
FORMS REQUIRING ADJUSTMENT											
Describe the nature of the adjustment	and provide det	tails of t	the revise	d incen	tive ca	alculatio	n Where e	extensiv	e revisi	ons ar	e
required, submit amended copies of a											
					·						
							\$		0.1		
Initial Incentive Paid									01 02		
Revised Incentive —	mont					_			03		
Overpayment/Underpay	ymen — — -										
☐ Cheque attached											
Make all cheques paya											
P.O. Box 4515, Statio	n E, 99-4th Ave	enue, O	ttawa, Or	tario, K	1S 5E	35.					
I Hereby Certify That											
	the individual na		-	stment							
or 📙 I am	the authorized	signing	officer								
and to the ba	st of my knowle	odao on	d baliaf	ho info	matia	n horoi	n ie truo o	arroot a	nd com	nloto	
	adjustment is in										ct
	ulations pursuant			an provi	0.0110	OF THE	Carolodili	11001111	03 1 10	grain /	

Title (if signing officer) Name (print) Telephone No. Date Signature

Form prescribed pursuant to the Petroleum Incentives Program Regulations



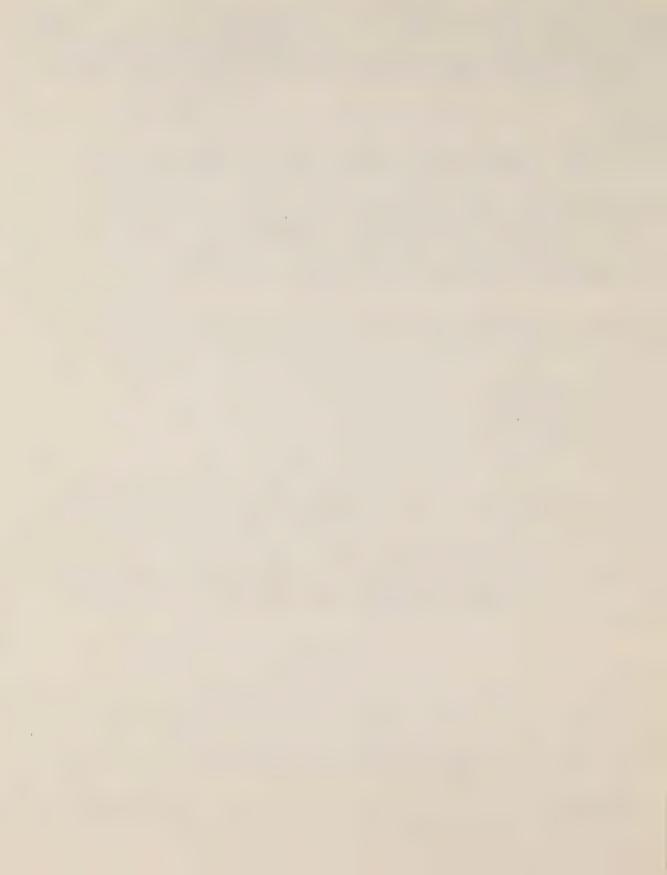


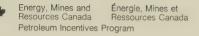
## FORECAST OF

• Co	Resc Petro mplet	gy, Mines ources Car bleum Ince e this fo I period	nada entives F rm onl	lv if eliail	es Can	ada sts or i	exper	nses o	outsio	de the	Prov	LIGI	FORECAST BLE EXPEN of Alberta a	DITUE	ILO					10
		entifica													CONTI	ROL	<b>&gt;</b>			
NAME	•														ENTITY		•	1 1		
ADDRE (Head Of a Corpor	fice, if	•			-	(Street and	No.)					(City)			(Provin	ice)			(Postal Code)	
LEGAL	STATUS	•		CORPORA	TION	☐ TRU	ST	☐ P/	ARTNE	RSHIP		INDI	VIDUAL.		PERIOD THIS FO		ТО	<b>)</b>	Y MM Y	00
		<b>sclosu</b> i									ive or	n Car	nada Lands.							
C		N OWNERS		TE	DATE C	OF ISSUE	PER	IOD CC		D BY CI	ERTIFIC TO	CATE	C.O.R.	CO	CANADIAN CONTROLLED (Check)					
		(if available			YY N	AM DD	YY	MM	DD	YY	ММ	DD		YE						
														%						
\$ \$  Exploration Expenses  Development Expenses  Asset Costs  Totals  Certification																				
I Here	eby C	ertify Th	or and	d to th	I am to e bes this fo		knov	d sign	ning o	office d belie	er ef, the	e info	ormation her sions of the f							
			١	Name (print	)				_			_			Title (if	signing of	fficer)			
Signature											_	Telepho	ne No.				Da	ute		

Form prescribed pursuant to the Petroleum Incentives Program Regulations







#### WAIVER IN RESPECT OF AN AMOUNT OF AN INCENTIVE

	Govern	mer.!								
Puellications										
	FOR DEPARTMENTAL USE ONLY CONTROL NUMBER									
	ENTITY NUMBER	•	1	1	1	!	-			

1A1 MS500 .

This form is for use by a qualified person to waive an incentive or any portion thereof in accordance with the Petroleum Incentives Program Act. By the execution of this waiver the qualified person who applies for an incentive shall be deemed to have received the amount of an incentive or any portion thereof, as the case may be, to which the applicant is entitled in accordance with the Petroleum Incentives Program Act.

For the purpose of claiming a tax credit under the Petroleum and Gas Revenue Tax Act a fully completed waiver shall be forwarded to the Petroleum Incentives Program, Department of Energy, Mines and Resources, P.O. Box 4515, Station "E", 99-4th Avenue, Ottawa, Ontario, K1S 5B5, on or before the due date for filing the Production Revenue Return (PG1) under the Petroleum and Gas Revenue Tax Act.

The waiver shall be signed by the qualified person who is an applicant for an incentive under the Petroleum Incentives Program Act, himself, if an individual, or if a corporation or a trust, by the authorized signing officer with the authority to bind the corporation or trust. In the case of a corporation, the corporate seal shall be affixed.

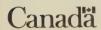
The waiver shall be filed with each application for an incentive under the Petroleum Incentives Program Act, with respect to which the amount of incentive waived relates.

			PETROLEUM AND GAS REVENUE TAX ACCOUNT NUMBER	<b>&gt;</b>	
NAME OF INDIVIDUAL, CORPORATION OR TRUST	(Print)				
ADDRESS	(Street and No.)	(City)	(Province)		Postal Code
WAIVER FOR THE TAXATION YEAR ENDING	YY MM DD	PERIOD DURING WHICH THE ELIGIBLE COS EXPENSES WERE INCURRED FOR WHICH A INCENTIVE IS BEING WAIVED FOR THE TAX	N AMOUNT OF FROM	MM DD TO	YY MM DD
DUE DATE FOR FILING THE RETURN (PG1) UNDER THE REVENUE TAX ACT FOR THI	PETROLEUM AND GAS	YY MM DD AMOUNT OF	FINCENTIVE WAIVED	\$	

For the purpose of claiming a tax credit under the Petroleum and Gas Revenue Tax Act, the above amount of an incentive or any portion thereof and all rights to receive that amount or any portion thereof are hereby waived in accordance with the Petroleum Incentives Program Act.

INDIVIDUAL OR	SIGNATURE	POSITION OR OFFICE	YY	DATE	DD
AUTHORIZED OFFICER	(Seal)				
INDIVIDUAL OR AUTHORIZED	SIGNATURE	POSITION OR OFFICE	YY	DATE MM	DD
OFFICER	(Seal)	Detroloum Incentives Program Regulations			

Form prescribed pursuant to the Petroleum Incentives Program Regulation





Énergie, Mines et Ressources Canada es Program

### NOTICE OF FIRST ELIGIBLE PURCHASER

Government

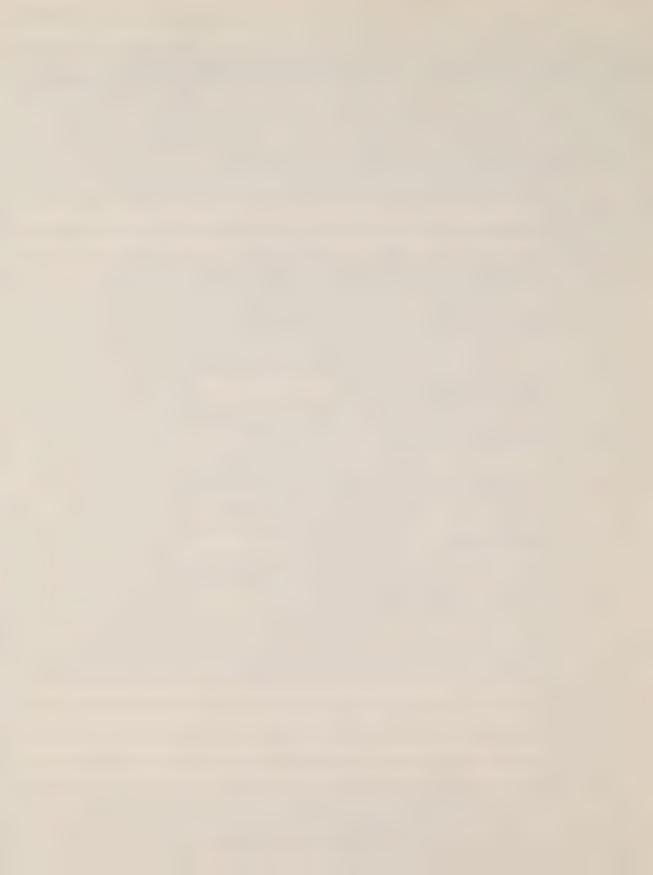
Energy, Mines and
Resources Canada
Petroleum Incontiu

GEOPHYSICAL, GEOLOGICAL AND GEOCHEMICAL PROGRAMS at ions

500 +p+3				CONTROL	DEPARTMEN	ITAL USI	E ONLY	
To be comp		/ if eligible for Petroleur	n Incentives on lands	ENTITY NUMBER	•	1: I 1: 1: 1: 1: 1:	1	1
DDRESS •	(Street and No.)	(City)	(Province	;)		(F	ostal C	ode
	GEOPHYSICAL	GEOLOGICAL	GEOCHEMICAL	DATE OF PURCHASE	•	YY	MM	DI
	Vendor's Authorization	Number ovincial	ve dated parshader.					
	Date Vendor's Progran	n Began	YY MM	DD				
	Date Program Complet	red	YY MM	DD				
Part A  • To be completed by purchaser only if eligible for Petroleum Incentives on lands other than Canada Lands.  NAME OF PURCHASER  ADDRESS    Street and No.   (City)   (Province)   (Province)   (Province)    TYPE OF PROGRAM     decorrespondent   decorated   DATE OF PURCHASE   VY   MM  Part B  • To be completed by the vendor upon request by the above-stated purchaser.  Vendor's Authorization Number (This number is obtained from Province)   June 2000   Jun								
f a group purc	chase, indicate purchas	er's percentage share		%				
Print)								
f signing officer)	(Street and No.)	(City)	(Province	э)		(1	Postal C	ode
IGNATURE					DATE	YY	MM	

Form prescribed pursuant to the Petroleum Incentives Program Regulations





Energy, Mines and Resources Canada Énergie, Mines et Ressources Canada Petroleum Incentives Program

**NET WORKING INTEREST** PERCENTAGE CALCULATION FORM PIP-14(1)

Government Publications

<ul><li>If space</li><li>Complet</li></ul>	insufficient, attach additiona e separate form for Asset Co	FORM(S) PIP-14(	1)							Pull	icatio	63 <b>m</b>		
<ul> <li>Where w</li> </ul>	vorking interest varies, calcu prking Interest using a sepa	late a Net Working	Interes	t Perce se the	ntage lowes	in res	spec Wor	t of						
	in the adjustment formula.		( . ).		.0 00		****	i i i i				R DEPARTM	MENTAL USE	ONLY
	dentification		,							CONTRO NUMBE	R			
UNIQUE WELL IDENTIFIER		PERIOD TO WHICH THIS FORM APPLIES	FROM	YY	MM DI	ТО	YY	ММ	DD	ENTITY NUMBE		R DEPARTM	MENTAL USE (	ONLY
Part B—D	isclosure													
Net Worl	king Interest Land Area												_ Hectar	es 01
	e below any zones or substa				which	the a	appli	cant de	oes				ORM PIP-15) interest	
	ZONES AND/OR SUBSTANCES	SEXCLUDED							REA	ASONS				
Part C—W	/orking Interest													
rait O W	Torking interest													
WorkIng	interest of the applicant in the	ne Net Working Inte	erest La	and Are	ea — —								(Enter on line	% 02
	plicant excluded from calcula	0	. ,	☐ "YE	S''	□ "NC	)"						12 of Part E)	
If "YES", p	proceed to Part E, If "No", cor	nplete Parts D and	E.											
	alculation of Interest Red		intoro	at in the	, rala.					I		- 16 :-A		
_	or net interest relating to the ring the entire period, complete.				erelev	ant n	et w	orking	inte	restiani	u are	a. II int	eresis w	ere
						YPE OF					1		LINTEREO	
	NAME OF INTERE	EST OWNER			GRO	TEREST		Interest (See Note 1	)	P.C. (See Note 2)	(Si	P.P. ee Note 3)	REDUCTIO FACTOR	N
					(Ent	ter (Ente	er	%	V	%	1	%	%	
							X		X		÷	=	=	- 03 04
							X		X		÷	=		0.5
						_	X		X		÷	=	=	_ 06
					-	-	X		X		·	-		07 08
						Total	Inte	rest Re	edu	ction F	acto	r		09
												= E	Enter on line 1	ō
Notes—	1. Enter pre-determined per	centage or highest	percen	ntage if	the int	terest	is c	alculate	ed a	s a rand	ae of	percer	of Part E)	
	2. P.C.—Percentage of oil or			-							,		,g	
	3. P.P.—Percentage of oil or	gas out of which the	ne net d	or gross	s inter	est is	paic	1.						
Part E—Ca	alculation of Net Working	g Interest Percen	tage_											
													100	_%
Total of	working interests in land are	ea	in Par	rt D) (5	nter z	ero if			nent					_% _% 10
Deddel.	Total Interest neduction Fa	dotor (Ironi ino 08	, III T al	(L	THOI Z	0,0 11	110			ustmer				_% 11
Working	Interest Percentage (from li	ne 02 in Part C) -												_% 12
		Net	Worki	ng Inte	rest P	ercer	ntag	e (Mult	iply	lines 1	1 by	12)		_% 13

## DETERMINATION OF NET WORKING INTEREST PERCENTAGE REQUIRED FOR EQUIPPING AND POST-EQUIPPING EXPENDITURES PERCENTAGE ADJUSTMENT

- If space insufficient, attach additional FORM(S) PIP-14(2)
- Where working interest varies, calculate a Net Working Interest Percentage in respect of each Working Interest using a separate FORM PIP-14(2). Use the Lowest Net Working Interest of all FORMS PIP-14(2) in FORM PIP-02.
- If Equipping or Post-Equipping Percentage exceeds the Lowest Net Working Percentage, the eligible expenses in respect of this well must be adjusted to zero.

UNIQUE WELL IDENTIFIER	•									OD TO					F	ROM	TYY	MM	0	D	0	YY	MM	DD
Working interes	t of t	he ann	licant	in the	Net	Work	cina In	teres	t La	nd Are	a – –					_							%	01
	. 01 1	ne app	mount	117 (110	, 1401	*****	ang m	10100		110 / 110	α											er on lir f Part C		
Part B—Calcula	ion	of Inte	erest	Redu	ıctio	n Fa	ctor_											_						
List Gross Intere of any working i																								
a person.	пеге	SUITU	ie ivet	VVOIK	arig ii	niere	St Lair	u Are	ea Oi	bya	erson	WI	10 a	юе	S not c	lea	al ar	III S I	eng	III WI	เกร	sucn		
a por oon.																								
											Т	YPE (	OF.	П								INITE	REST	
		NAN	/E OF IN	TERES	TOWN	NER					IN	TERE	NET		Interest (See Note	)	P.( (See N			P.P. e Note 3	)	REDU	CTION	
											(Ent	er (E	Enter		%		%	>		%		9	6	
														X		X								02
												-		2.0			-				=			03
														X		X					=			0.4
														X		X		-:	-				_	04
														-		X			-					
														X X X		X X X X								05
												Tota	al lı	X X X	erest R	-	uctio	n Fac	ctor					05 06
												Tota	al lı	X X X	erest R	-	uctio	n Fac	ctor		= = = = = = = = = = = = = = = = = = =	ter on I	ne 09 C)	05 06 07
Notes—1. Ente	pre	-deterr	mined	perce	entag	ge or h	nighes	st per	rcen	tage if				X X X		ed						of Parl	(C)	05 06 07
2. P.C.	-Pe	rcenta	ge of o	oil or g	gas u	pon v	vhich t	the n	et o	r gross	the int	ere	est i	X X X X nte	alculat	ed						of Parl	(C)	05 06 07
	-Pe	rcenta	ge of o	oil or g	gas u	pon v	vhich t	the n	et o	r gross	the int	ere	est i	X X X X nte	alculat	ed						of Parl	(C)	05 06 07
2. P.C.	-Pe	rcenta	ge of o	oil or g	gas u	pon v	vhich t	the n	et o	r gross	the int	ere	est i	X X X X nte	alculat	ed						of Parl	(C)	05 06 07

art o caronianon or not tronking interest broadings Equipping and rost Equipping		
Total of Working Interests in Land Area	100	%
Deduct: "Total Interest Reduction Factor" (from line 08 in Part B) (Enter zero if no adjustment)		% 09
Total Adjustment Factor		% 10
Working Interest Percentage (from line 01 in Part A)		% 11
Net Working Interest Percentage (Multiply lines 10 by 11)		% 12



ADJUSTMENTS TO ELIGIBLE EXPLORATION
OR ELIGIBLE DEVELOPMENT EXPENSES

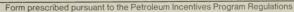
FORM PIP-15

CA 1 45500 -83733

• Complete separate FORM PIP-15 for each well.

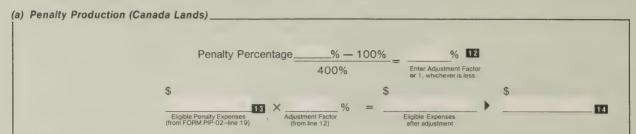
Government Publications

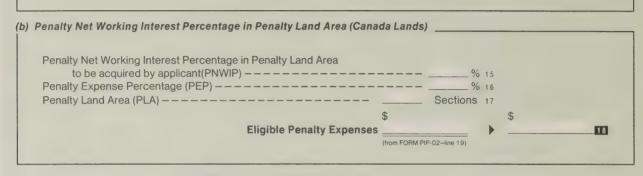
Part A—Identification							CONTROL	FOR DEPART	MENTAL USE	ONLY
INIQUE VELL DENTIFIER	PERIOD TO WHICH THIS FORM APPLIES	FROM	YY MM	DD TO	YY	MM DD	ENTITY NUMBER	FOR DEPART	MENTAL USE	ONLY
Part B—Adjustments  1) Earning Expenses and Acquired Expen	ses	·					, womber		-	
(Compi	ing Expense ete (a), (b) and (c) be licated Test We	low)	(Comple	ete (c) below				Penalty Ex Complete B(2) B(4) as ap	(a) or (b), or	
(a) — Delineation Well										
Does Earning Expense relate to a del							YY	MM DD		
If "YES", indicate the date of the Minist	erial approval –									
(b) - Acquisition Expenditure Adjustment  If the applicant has incurred or agreed expenditure, that amount may be dec	to incur an amo	e earni	ng expe	nses su	bject t	o adjusti	ments.	maintenar		
Total Eligible Earning Exper	nses (from line	17 of P	Part D(2)	(a) of F	ORM P	PIP-02) -	_ <del>_</del>		01	
Less — Acquisition Expend	diture — — — —								_ 02	
Tota	al Eligible Earn	ing Ex	penses	(Subjec	to adj	justment			03	
(c) — Calculation of Adjustment Factor										
To calculate the "Adjustment Factor" app										
F — For Earning Expense – For Earning Expense in For Acquired Expenses	n respect of de	elineati	ion well	on Car	ada L	ands -		2 10 1		
NWIP — Net Working Interest Per EP — Expense Percentage —	rcentage (from l	ine 13	on FOR	M PIP-1	4(1))			% <b>04</b> % 05	l	
MLB — Minimum Land Block (fro NWILA — Net Working Interest La	om Appendix 4	of Guid	de)				Hed	ctares 06		
Calculate "Adjustment Factor"										
F X_NWI	P		NWIL	Α						
EP			MLB			_				
		X				=				
Enter quotient fro	om above r is less		Enter or 1	quotient from , whichever i	above s less	-	Enter Adjustm or 1, whicher			
\$				\$			\$			
Eligible Expe (from PORM PIP-02 or line 03 of th	line 17 or 18	Adjustmen (from lin		and the second s	Eligible I after adj	Expenses justment		(Transfer to line on reverse)	10	



Ph	D (0)	D 14	F	A altrophysical and a
Pan	B (2)	Penaity	Expense	Adjustments

• To be completed only in respect of eligible expenses under a penalty clause.





Eligible Syndicated Test Well Expenses (from line 20 of FORM PIP-02)

Part B (4) Penalty Production—Lands Other than Canada Lands \_\_\_\_\_

Part B (3) Syndicated Test Well—Canada Lands\_

Total Expenses Not Subject to Adjustments (From line 15 on FORM PIP-02)

\$
Eligible Expenses after adjustment (Total of lines 11, 14, 18, 19, 22 and 23)

23

(Enter on FORM PIP-01(1) or (2))

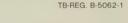
Energy, Mines and Resources Canada Petroleum Incentives		ELECTION IN RESPECT OF APPROVED EXPENDITURE GRANTS UNDER PART II OF THE OIL AND GAS INCENTIVE REGULATIONS,	Company out	FORM PIP-16
Part A - Identification NAME OF APPLICANT	(Print)	1978, OF THE PROVINCE OF SASKATCHEWAN	CONTROL NUMBER  ENTITY NUMBER	OR DEPARTMENTAL USE ONLY
ADDRESS	(Street and No.)	(City) (Province)		Postal Code

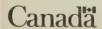
- For use by an applicant who is or may be entitled to receive an expenditure grant (an "earned credit") under Part II of The Oil and Gas Incentive Regulations, 1978, of the Province of Saskatchewan (the "Saskatchewan Program") in respect of an eligible cost or expense.
- This election may only be made at the time of application for the first incentive to which the amount of an earned credit is relevant under subparagraph 12(1)(a)(ii) of the Regulations.
- Where this election is not made, earned credits will reduce eligible costs or expenses under subparagraph 12(1)(a)(ii) of the Regulations.
- Where this election is made, earned credits will not reduce eligible costs or expenses under subparagraph 12(1)(a)(ii) of the Regulations, However, in accordance with subsection 12(5) of the Regulations, amounts received under the Saskatchewan Program will reduce eligible costs or expenses under subparagraph 12(1)(a)(ii) of the Regulations. This may result in a requirement that Statement of Adjustment be filed and that all or part of an incentive received be re-imbursed. Further, it is a term and condition of any incentive made on the basis of this election that it shall be applicable and binding in respect of all subsequent applications for incentive.
- This election should be signed by the applicant or a person legally entitled to sign on his behalf. In the case of a corporation,
  - (a) where the directors of the corporation are legally entitled to administer the affairs of the corporation, a certified copy of their resolution authorizing the election to be made is to be attached.
  - (b) Where the directors of the corporation are not legally entitled to administer the affairs of the corporation, a certified copy of the authorization of the making of this election by the person or persons legally entitled to administer the affairs of the corporation is to be attached.

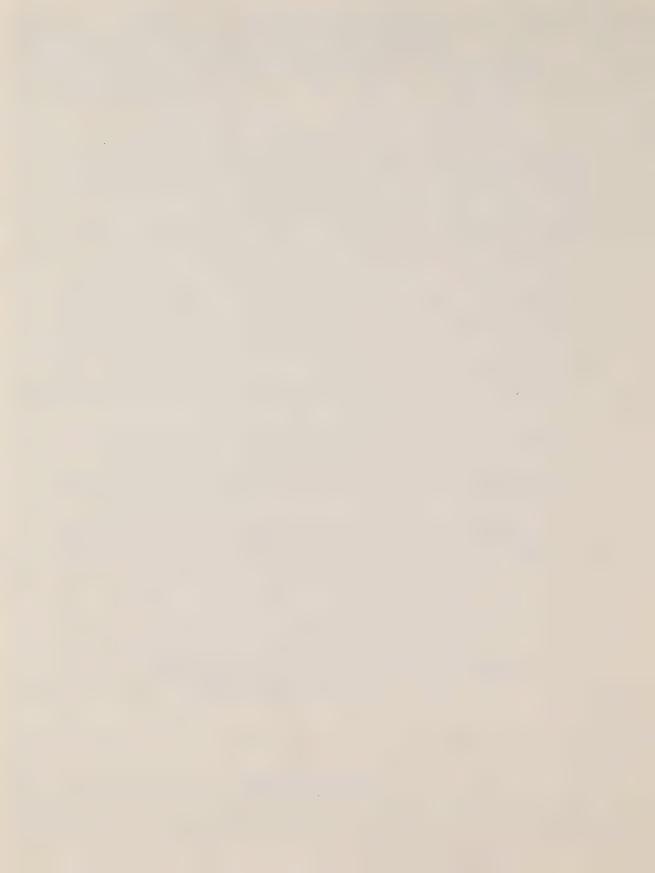
The undersigned hereby elects that amounts referred to in paragraph 12(5)(a), (b) or (c) of the Regulations shall not be taken into account for purposes of subparagraph 12(1)(a)(ii) of the Regulations, and that any grant received under the Saskatchewan Program after 1980 shall be taken into account, for purposes of subparagraph 12(1)(a)(ii) of the Regulations, in accordance with paragraphs 12(5) (d) and (e) of the Regulations.

INDIVIDUAL OR AUTHORIZED OFFICER	SIGNATURE (Seal)	POSITION OR OFFICE	YY	DATE MM	DD
INDIVIDUAL OR AUTHORIZED OFFICER	SIGNATURE (Seal)	POSITION OR OFFICE	YY	DATE MM	DD

Form prescribed pursuant to the Petroleum Incentives Program Regulations









#### NOTICE OF ASSIGNMENT OF CROWN DEBT AVIS DE CESSION DE DETTE DE LA COURONNE

APPENDIX A - APPENDICE A

Government Publications

TO THE RECEIVER GENERAL:	AU RECEVEUR GÉNÉRAL:
YOU ARE HEREBY NOTIFIED THAT BY AN ASSIGNMENT	AVIS VOUS EST DONNÉ PAR LES PRÉSENTES QU'AU MOYEN D'UNE
DATED THEDAY OF	CESSION EN DATE DU JOUR DE
(MONTH), 19 , (THE ASSIGNOR)  (THE ASSIGNOR)  (THE ASSIGNOR)	(MOIS), 19, (LE CÉDANT)  (LE CÉDANT)  (LE CÉDANT)
(THE ASSIGNEE)	(LE CESSIONNAIRE)
THE SUM OF \$BEING MONEYS	LA SOMME DE \$REPRÉSENTANT DES DENIERS OU (TOUS LES DENIERS) DONT LA COURONNE REPRÉSEN-
OR (ALL MONEYS) DUE OR BECOMING DUE BY THE CROWN AS	TÉE PAR LE MINISTRE DE
REPRESENTED BY THE MINISTER OF	
,	EST OU EST EN VOIE DE DEVENIR REDEVABLE ENVERS
TO	(LE CÉDANT)
UNDER	AUX TERMES D'UN(CONTRAT, BAIL, ETC.)
DATED THE DAY OF,	EN DATE DU JOUR DE
19, NUMBEREDFOR	19,, PORTANT LE NUMÉROPOUF
(PURPOSE)	(OBJET)
(PURPOSE)	(OBJET)
(PURPOSE)	(OBJET)
YOU ARE REQUIRED TO MAKE PAYMENT OF SUCH MONEYS TO	VOUS ÊTES TENU DE VERSER LESDITS DENIERS À
(THE ASSIGNEE)	(LE CESSIONNAIRE)
AT	Δ11
(ADDRESS WHERE PAYMENT IS TO BE MADE)	(LIEU OÙ LE PAIEMENT DOIT ÊTRE EFFECTUÉ)
(ADDRESS)	(ADRESSE)
(ADDRESS)	(ADRESSE)
DATED THIS DAY OF,	DATÉ CE JOUR DE
19	19
(SIGNATURE OF ASSIGNEE)	(SIGNATURE DU CESSIONNAIRE)



# Energy, Mines and Resources Canada Resources Canada

### DISCLOSURE OF CANADIAN CONTENT PARTICIPANTS EXPLORATION AND/OR DEVELOPMENT

Coveran	FORM	PIP-13
Politica.		

Petroleum Incentives Progra	Stments under a Canadian Content provision.  —Identification  IETOWHICH MAPPLIES OR WELL IDENTIFIER(S)  CATION  — GENERAL CANADIAN CONTENT PROVISION  —Agreement Participants It the full name of each person or entity who ownible expenses relate.  NAME OF OWNER	·	UNA	HON	IAN	DIOR DEVEL	OPI	VIEN			ŀ	ubli	cation	18	
								ONTRO	OL _	R DEP	ARTN	IENTAI	L USE O	NLY	
art A—Identification	m is to be completed when applying for exception ents under a Canadian Content provision.    dentification							NTITY UMBE	R •		 	1 1	-		
IIT NAME TO WHICH IIS FORM APPLIES OR IIQUE WELL IDENTIFIER(S)	•			PERIOD FORM A		HICH THIS	FRO		Y M	M [	DD	то	YY	MM	
ELL LOCATION	•			OTHE A LAN		N		ATE O			YY	MM			
☐ GENERAL CANADIA	N CO	NTENT PROVISION	CANAD	DIAN CO	ONTEN	T FOR THE DURA	TION	OF AN	ION						
_	-														
<ul> <li>List the full name of each peligible expenses relate.</li> </ul>	oers	on or entity who owns or is entitl	ed to	own	a wo	orking interes	t in t	he la	nd ar	ea to	o w	hich	the		
NAM	F OF (	OWNER	IN.	WORI TERES	T	C.O.R.	CANA CO TROL	N-		WORK					
,,,,,,,			YY	ММ	DD	%	YES	NO		%					
													_		
List the full name of each p working interest.	pers	on or entity who owns a gross or		intere				harge	ed ag		t the	e ap	plicar	nt's	
NAM	E OF	OWNER	IN	TERES	ST	C.O.R.	CO	N-	INTER	REST	- 11	NTERI	EST		
			YY	мм	DD	%	YES	NO	GROSS	NET		%			

See "Asset Costs" on reverse

From prescribed pursuant to the Petroleum Incentives Program Regulations

TB-REG. B-5062-1



## DISCLOSURE OF CANADIAN CONTENT PARTICIPANTS ASSET COSTS

This Form is to be completed when applying for exception to adjustments under a Canadian Content provision.						CONTROL NUMBER						
	·					ENT	ITY MBER	•	3	1	1 1	1
Part A—Identification  MINISTERIAL CERTIFICATION NUMBER, TO WHICH THIS FORM APPLIES			OD TO V		THIS •	FROM	YY	MM	DD	YY	MM	DD
WELL LOCATION	☐ CANADA LANDS ☐ LANDS OTHER THAN CANADA LANDS					DATE OF AGREEMENT					ММ	DD
GENERAL CANADIAN CO	ONTENT PROVISION	CANADIAN	CONTE	NT FOR	THE DURAT	ION OF	AN AGF	REEMEN	T PROV	ISION		
Part B—Agreement Participa  (1) List the full name of each pereligible costs relate.		itled to o	wn a w	vorkin	g interes	t in the	e land	area t	o whic	ch the	Э	
NAME OF OWNER			DATE WORKING INTEREST C ACQUIRED			CANADIAN CON- TROLLED		WORKING INTEREST				
			мм	DD	%	YES	NO	%				
											-	
											_	
											-	
(2) List the full name of each persapplicant's working interest.			DATE	ST	ed or to b	CANA	ADIAN DIN-		t the	Т		
NAME OF	OWNER	YY	MM	DD	%	YES	NO		%			
											-	
											-	
											-	
(3) List the full name of each pers the eligible asset costs relate	-	itled to o	vn an	opera	ting inter	est in	the pr	oject	to whi	ch		
NAME OF	NAME OF OWNER		OPERA NTERES CQUIRE	ST	C.O.R.	CANADIAN CON- TROLLED		INTEREST		r		
NAME OF OWNER		YY	мм	DD	%	YES	NO		%			
											-	
											-	

Resources Canad	d Énergie, Mines et da Ressources Canada ncentives Program	SPECI	MEN SIGNA	Government Publications							
NAME OF APPLICA	ANT			FOR D	EPARTME	ENTAL US	EONLY				
				ENTITY NUMBER	•	11	11	1			
BUSINESS ADDRESS	(Street and No.)	(Province) Postal C									
Listed hereunder are Petroleum Incentive This list is effective	s Program.	those officers authorized until further notice.	to sign application	on(s) and othe	r docum	nents sub	omitted 1	to the			
NAME		TITLE / POSITION	SPECIMEN SIGNATURE								
NAME		TITLE / POSITION	SPECIMEN SIGNATURE								
NAME		TITLE / POSITION		SPECIM	EN SIGI	NATUR	E	(Seal)			
I, the witness,above are authentic.	(print name	e) decl	are that to the be	est of my know	vledge t	he Speci	men Sigr	natures			
WITNESS OCCUPA	TION / TITLE		BUSINESS AD	DRESS							
FIRM / ORGANIZA	ATION						Postal C	ode			
SIGNATURE		(Seal)	DATE		TELEP	HONE	No.				
	poration, the Corporate S ponsibility of the applicar immediately of any chan	seal shall be affixed. In to notify the Petroleum ges to the above.		-		Ca	na	dä			
PIP-12 (April/82)	au verso)	ТВ-Г	TB-REG. B-776184								

iovernment

	Energie, Mines et Ressources Canada Programme d'encouragemen:	t du secteur po	étrolier	С	ARTE D	E SP	ÉCIME	NS DE SIGN	ATURES		
	NOM DU DEMANDEUR	T da ood oo in					À L'USAGE DU MINISTÈRE SEULEMENT				
This Form is to t							UMÉRO 'ENTITÉ	DE >			
adjustments unc	ADRESSE (Nº et rue)			(VII	le)		(P	rovince)	Code postal		
Part A—Identifica MINISTERIAL CERTIFICATI TO WHICH THIS FORM AP	Figurent sur la présente les specimens d direction du Programme d'encourageme	e signatures des ent du secteur po	agents a stroller.	utorisés	s à signer les	demai	ndes et au	tres documents p	résentés à la		
WELL LOCATION	Cette autorisation entre en vigueur le et le restera jusqu'à nouvel ordre.  NOM TITRE DU POSTE SPÉCIMEN DE SIGNATURE										
☐ GENEI	NOM TITRE DU POSTE SPÉCIMEN DE SIGNATURE										
Part B—Agreeme  (1) List the full name eligible costs re	NOM TITRE DU POSTE SPÉCIMEN DE SIGNATURE (Sceau										
eligible costs re	Je, soussigné,signature figurant ci-dessus sont authen	tiones			, déclare	que,	pour auta	nt que je sache, lo	es spécimens de		
	TITRE OU POSTE DU SOUSSIGNÉ	ADRESSE COMMERCIALE									
	SOCIÉTÉ OU ORGANISME								Code postal		
	SIGNATURE	DATE (Sceau)				TÉLÉPHONI					
(2) List the full name applicant's working	pesp-12 (Avril/82)  interest.	g. 555 51 Hot		unai	n reverse) yeu or to t		arged a		ÈGL. B-77618		
	NAME OF OWNER	INTEREST ACQUIRED			C.O.R.	CON- TROLLED		INTEREST			
		Y	YMN	1 DD	%	YES	NO	%	and sales		
				•							
3) List the full name of	each person or entity who owns or	is entitled to	OWD at	oper	oting inter						
the eligible asset co	osts relate.	To ornined to	Owirai	oper	atting inter	estin	the pro	ject to which			
	NAME OF OWNER	DA	TE OPER INTERE ACQUIF	ST	C.O.R.		ADIAN ON- LED	INTEREST			
		· Y1	мм	DD	%	YES	NO	%			
-1 -											



